



Journal of the Senate

Number 33

Wednesday, May 24, 1978

The Senate was called to order by Senator Trask at 8:30 a.m. for the purpose of conducting the order of business of introduction and reference of resolutions, memorials, bills and joint resolutions pursuant to Rule 4.3.

INTRODUCTION

By Senator Brantley—

SR 1349—A resolution commending the U.S. Coast Guard Auxiliary for its work in Florida.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Senators W. D. Childers and Tobiassen—

SB 1350—A bill to be entitled An act relating to Okaloosa County; extending the territorial boundaries and corporate limits of the City of Fort Walton Beach to include certain lands; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Committee on Rules and Calendar.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1933 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Craig and others—

HB 1933—A bill to be entitled An act relating to health studio services; amending s. 501.012(3), Florida Statutes, and adding a subsection; providing for penalty-free cancellation of health studio service contracts within certain time periods; providing for cancellation of health studio service contracts if the health studio goes out of business or moves its facilities more than 5 miles from the location designated in the contract; providing for the cancellation of health studio service contracts upon the death or disability of the buyer; providing that contracts shall not be for more than 36 months; providing bond or financial responsibility requirements; providing for applicability; providing an effective date.

—was read the first time by title and referred to the Committee on Commerce.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 1230, HB 1343 and CS for HB 1233 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Craig—

HB 1230—A bill to be entitled An act relating to the Game and Fresh Water Fish Commission; directing the Division of Fisheries of the Game and Fresh Water Fish Commission to manage the promotion, marketing, and quality control of all freshwater organisms produced in the state and used commer-

cially; providing specific guidelines for such management; providing an appropriation; providing an effective date.

—was read the first time by title and referred to the Committees on Natural Resources and Conservation; and Appropriations.

By the Committee on Transportation and Representative Jones and others—

HB 1343—A bill to be entitled An act relating to motor vehicle registration; adding paragraph (c) to s. 320.02(4), Florida Statutes, providing that in verifying for proof of personal injury protection or financial responsibility insurance, the tax collector shall not be liable in damages for any inadequacy, insufficiency, falsification, or unauthorized modification of any item of such proof; amending the introductory paragraph of s. 320.06(2), Florida Statutes, providing certain refunds; amending s. 320.15, Florida Statutes, providing refunds on certain license plates; providing an effective date.

—was read the first time by title and referred to the Committees on Transportation and Appropriations.

By the Committee on Judiciary and Representative Moffitt—

CS for HB 1233—A bill to be entitled An act relating to guardianship; creating s. 744.3035, Florida Statutes; establishing a Board of Community Guardian, Inc., in each judicial circuit in the state under certain circumstances; providing for membership and terms; providing for powers and duties of such a board; providing for annual reports; providing immunity from personal liability; providing an effective date.

—was read the first time by title and referred to the Committees on Judiciary-Civil; Health and Rehabilitative Services; Governmental Operations; and Appropriations.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 261 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Steinberg and others—

HB 261—A bill to be entitled An act relating to mopeds; amending s. 316.2065(15), Florida Statutes, 1977, removing a prohibition upon the operation of mopeds on bicycle paths; requiring mopeds to conform to certain federal safety standards; adding subsection (5) to s. 320.02, Florida Statutes, 1977, providing for registration and licensing of mopeds; amending the introductory paragraph of s. 320.08, Florida Statutes, 1977, and adding paragraph (1)(c), providing a license tax; creating s. 320.0803, Florida Statutes, providing for the issuance of moped tags; amending s. 322.01(1) and (2), Florida Statutes, 1976 Supplement, requiring moped operators to obtain a driver's license; providing an effective date.

—was read the first time by title and referred to the Committees on Transportation, Commerce, and Appropriations.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended—

HB 742	HB 1554	CS for HB 1211
HB 220	HB 1532	CS for HB 1237

—and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Hodges—

HB 742—A bill to be entitled An act relating to aquatic plant control; creating the "Center for Aquatic Plant Research and Control" within the Institute of Food and Agricultural Sciences of the University of Florida; providing responsibilities of the center; providing for annual reports to the Legislature; providing appropriations; providing an effective date.

—was read the first time by title and referred to the Committee on Appropriations.

By Representatives Cassens and Taylor—

HB 1554—A bill to be entitled An act relating to individual sewage disposal facilities; amending s. 381.272(2), (3) and (6), Florida Statutes, providing legislative intent; and adding subsections (9) and (10) to said section providing procedures for the installation of organic waste composting toilets or toilet systems; authorizing the Department of Health and Rehabilitative Services to adopt rules; providing that one measurement used to determine whether or not a private well and individual sewage disposal should be allowed in certain developments shall be based upon the mean of a described line rather than a single minimum dimension under certain circumstances; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By the Committee on Natural Resources and Representative Crady—

CS for HB 1211—A bill to be entitled An act relating to freshwater fishing; amending s. 372.57(3), Florida Statutes, providing for a special fishing license issued for a 12-month period; amending s. 372.571, Florida Statutes, to provide that special 12-month fishing licenses shall expire 12 months after date of issuance; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation.

By Representative Craig—

HB 220—A bill to be entitled An act relating to freshwater fish or frog dealers; amending s. 372.65, Florida Statutes; providing for ten separate classes of licenses, and requirements and fees therefor; permitting certain license substitution; requiring that a licensed person be aboard a commercial fishing boat; restricting sale by and purchase from unlicensed persons; providing an effective date.

—was read the first time by title and referred to the Committees on Natural Resources and Conservation; Commerce; and Appropriations.

By Representative McDonald and others—

HB 1532—A bill to be entitled An act relating to financial matters; amending s. 215.422(3), Florida Statutes; providing that if a warrant in payment of an invoice is not mailed by a state agency within 45 days after receipt of the invoice, the agency shall be liable to the vendor for interest at the rate of 1 percent per month on the unpaid balance; providing exceptions; amending s. 215.26(2), Florida Statutes; permitting the Comptroller to delegate to certain state agencies the authority to accept applications for refund of moneys claimed; providing for application forms; designating the duties of these state agencies with respect to applications for refund; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and Appropriations.

By the Committee on Health & Rehabilitative Services and Representative Moffitt and others—

CS for HB 1237—A bill to be entitled An act relating to controlled substances; amending s. 893.12(2), Florida Statutes, declaring money used in connection with drug abuse offenses to be contraband and providing for the seizure and forfeiture thereof; creating part II of chapter 893, Florida Statutes, consisting of ss. 893.20-893.27, Florida Statutes; establishing the Controlled Substance Therapeutic Research Act; providing legislative intent; providing definitions; establishing a program; providing for confidentiality; providing for a patient qualification review board; providing duties; providing for reimbursement; providing for distribution of controlled substance; providing for a report; providing an exception to part I of chapter 893, Florida Statutes; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services; Judiciary-Criminal; Judiciary-Civil; and Appropriations.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1837 and HB 2037 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representatives Hodges and Warner—

HB 1837—A bill to be entitled An act relating to osteopathic physicians; amending s. 459.03(1), Florida Statutes, and adding a subsection thereto; specifying applicability of chapter 459, Florida Statutes, and including certain students practicing under licensed osteopathic physicians; amending s. 459.05, Florida Statutes, providing 4-year terms for members of the State Board of Osteopathic Examiners; amending s. 459.09, Florida Statutes, providing for reexamination; amending s. 459.10(1) and (2)(b), Florida Statutes, providing for licensure of applicants; amending s. 459.11(1) and (2), Florida Statutes, including osteopathic physicians who have passed the exam for admission into the United States Air Force Medical Corps under provisions exempting certain applicants from examination, deleting certain reciprocal licensing provisions, and providing a fee for endorsement; authorizing rather than requiring, the board to grant reciprocal licensing; amending s. 459.14(2)(e), Florida Statutes, and adding subsection (9) thereto; including certain advertising and claims under grounds for refusal, revocation or suspension of license; providing for advertising and providing limitations thereon; prohibiting continuance of certain administrative licensing proceedings after a license has been suspended; creating s. 459.142, Florida Statutes, providing for supersedeas; amending s. 459.161, Florida Statutes, relating to change of address notification; amending s. 459.19, Florida Statutes, providing for biennial rather than annual license renewal; amending s. 459.191(1)(c), Florida Statutes, and adding a subsection thereto; conforming education requirements to biennial licensing provisions and specifying that certain hours of refresher or postgraduate study be related to the practice of osteopathic medicine; providing credit for educational requirements and exemption from certain fees to members of the Commissioned Corps of the United States Public Health Service; amending s. 459.20(2) and (4)(a), Florida Statutes, providing for reinstatement of a license suspended for failure to make a biennial renewal; providing for license renewal in certain cases; amending s. 459.21, Florida Statutes, relating to compensation and expenses; amending s. 459.225(12), Florida Statutes, deleting fee for certification of approved osteopathic physician's assistant programs; creating s. 459.23, Florida Statutes, requiring reports by physicians administering or dispensing drugs on authorized drug treatment programs; providing that a list of patients on such programs be filed with the board; requiring the treating physician to specify that prescriptions be filled at the same pharmacy; requiring certain other reports; providing an effective date.

—was read the first time by title and referred to the Committees on Health and Rehabilitative Services; Commerce; and Governmental Operations.

By the Committee on Regulated Industries & Licensing—

HB 2037—A bill to be entitled An act relating to dentistry; amending s. 466.24(3)(g) and (k), Florida Statutes; authorizing certain types of advertising; creating s. 466.261, Florida Statutes; authorizing dentists to advertise, providing terms and conditions for such advertising, authorizing the Florida State Board of Dentistry to promulgate rules, and prohibiting false or misleading advertising; amending s. 466.27(3), Florida Statutes; providing for certain information to appear in professional announcements; providing an effective date.

—was read the first time by title and referred to the Committees on Economic, Community and Consumer Affairs; and Health and Rehabilitative Services.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1703 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Martin—

HB 1703—A bill to be entitled An act for the relief of John C. Vlacos, a minor; providing an appropriation to compensate him for injuries arising out of an accident while he was in attendance as a ninth grade pupil in the public schools of Alachua County; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Special Master and the Committee on Finance, Taxation and Claims.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed as amended HB 1487 and HB 2061 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Nuckolls and others—

HB 1487—A bill to be entitled An act relating to theft, robbery, and related crimes; creating s. 812.0145, Florida Statutes, defining the term "organized fraud"; providing penalties with respect to persons who are convicted of committing the crime of organized fraud; providing an effective date.

—was read the first time by title and referred to the Committee on Judiciary-Criminal.

By the Committee on Claims and Representative Thompson and others—

HB 2061—A bill to be entitled An act relating to the relief of Jim Schatz; providing an appropriation to compensate him for attorney's fees incurred in his defense of a civil action brought against him arising from actions taken by him in the course of his duties as an employee of the Florida Game and Fresh Water Fish Commission; providing an effective date.

—was read the first time by title and referred to the Special Master and the Committee on Finance, Taxation and Claims.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed HB 1711 and requests the concurrence of the Senate.

Allen Morris, Clerk

By Representative Hagler and others—

HB 1711—A bill to be entitled An act relating to Escambia County; providing for the relief of Herbert C. Destin for injuries received while a county employee in the course of his employ; authorizing, empowering, and requiring the board of county commissioners to settle same by payment out of the County General Fund the amount of \$25,000 in exchange for a release of liability; providing an effective date.

Proof of publication of the required notice was attached.

—was read the first time by title and referred to the Special Master and the Committee on Finance, Taxation and Claims.

The Senate recessed at 8:40 a.m.

The Senate was called to order by the President at 9:00 a.m. A quorum present—40:

Mr. President	Gordon	Myers	Thomas, Jon
Barron	Gorman	Peterson	Thomas, Pat
Castor	Graham	Plante	Tobiassen
Chamberlin	Hair	Poston	Trask
Childers, Don	Henderson	Renick	Vogt
Childers, W. D.	Holloway	Saylor	Ware
Dunn	Johnston	Scarborough	Williamson
Firestone	Lewis	Scott	Wilson
Gallen	MacKay	Skinner	Winn
Glisson	McClain	Spicola	Zinkil

Excused: Periodically, conferees on SB 1100—Senators Lewis, Gordon, W. D. Childers, Peterson, Plante, Spicola, Trask, Hair

Prayer by Lt. Colonel James Osborne, Divisional Commander, Salvation Army Divisional Headquarters, Jacksonville:

Almighty God, Father of all and cornerstone of this great nation, touch and teach us today.

Mark us for significant service for this exciting and exacting moment.

We pray particularly for those selected and elected servants standing in the midst of great turmoil, encircled by the forces of good and evil, yet enriched and equipped by Thy presence and power.

Grant them strength to stand against all that is low and profane, accompanied by wisdom to know and courage to choose high ideals and righteous causes.

Endow them with abilities to see problems of this day and beyond them to lasting possibilities and eternal verities.

Guide our people to lives of love, fervent devotion and spiritual efficiency.

Send us a sensitivity to those suffering and in need, then direct us to appropriate action as the demonstration that righteousness exalts a nation.

Bestow on us new vision and verve through Jesus Christ our Lord. Amen.

The Senate pledged allegiance to the flag of the United States of America.

REPORTS OF COMMITTEES

Honorable Lew Brantley
President, The Florida Senate

Dear Mr. President:

Your Committee on Rules and Calendar respectfully recommends revisions of Senate Rules 2.1, 2.14, 2.16, 2.18, 3.12, 3.13, 4.8, and 4.15 attached hereto and by reference made a part of this report.

The vote of the committee was unanimous.

Respectfully submitted,
W. D. Childers, Chairman

On page 19, amend the first paragraph of Rule 2.1 as follows:

Rule 2.1—Standing committees; standing subcommittees

Permanent standing committees and standing subcommittees, when created and designated, by rule of the Senate, shall exist and function both during and between sessions. The President shall appoint the membership of the following named standing committees and standing subcommittees provided that each standing committee shall consist of not less than five (5) members:

Agriculture

Appropriations

Subcommittee A

Subcommittee B

Subcommittee C

Commerce

Corrections, Probation and Parole

Economic, Community, and Consumer Affairs

Education

Executive Business

Finance, Taxation and Claims

Governmental Operations

Health and Rehabilitative Services

Judiciary-Civil

Judiciary-Criminal

Natural Resources and Conservation

Personnel, Retirement, and Collective Bargaining
 Rules and Calendar
 Transportation
Ways and Means
 Subcommittee A
 Subcommittee B
 Subcommittee C
 Subcommittee on Finance, Taxation and Claims

On page 24, the last sentence of Rule 2.14 is amended to read:

Failure of the Committee to meet and consider such bill within said time will permit the sponsor of the bill to remove it from committee on a point of order, providing no bill may be thus withdrawn from the Committee on ~~Appropriations~~ *Ways and Means* during the first thirty (30) days of a regular session.

On page 26, the last sentence of the sixth paragraph of Rule 2.16 is amended to read:

This Rule shall also apply to reports on budgetary matters by the standing subcommittees of the ~~Appropriations~~ *Ways and Means* Committee for inclusion in the general appropriations bill.

On page 27, the second paragraph of Rule 2.18 is amended to read:

Committees having jurisdiction of prefiled bills shall expedite the business of such committee and shall file reports as soon as practicable after each hearing, except that the Committee on ~~Appropriations~~ *Ways and Means* shall not be required to file such report of a prefiled bill defined in these Rules.

On page 40, the last sentence of Rule 3.12 is amended to read:

The general appropriations bill shall be introduced by the Committee on ~~Appropriations~~ *Ways and Means*.

On page 40, the first sentence of the first paragraph of Rule 3.13 is amended to read:

Upon being favorably reported by the Committee on ~~Appropriations~~ *Ways and Means*, all general bills or joint resolutions affecting revenues, expenditures, or fiscal liabilities of state or local governments shall be accompanied by a fiscal note.

On page 40, the second paragraph of Rule 3.13 is amended to read:

The staff of the Committee on ~~Appropriations~~ *Ways and Means* shall be responsible for preparing fiscal notes except on those bills affecting any state retirement system, which shall be prepared by the staff of the Committee on Personnel, Retirement and Collective Bargaining after consultation with an actuary who is a member of the Society of Actuaries and shall solicit the cooperation of appropriate state agencies for necessary data.

On page 40, the first sentence of the fourth paragraph of Rule 3.13 is amended to read:

If a bill or joint resolution affecting revenues, expenditures, or fiscal liability is reported favorably by the Committee on ~~Appropriations~~ *Ways and Means* without a fiscal note, a Senator may raise a point of order on second reading, and the President shall order return of the bill or joint resolution to the Committee on ~~Appropriations~~ *Ways and Means*.

On page 45, the last sentence of the second paragraph of Rule 4.8 is amended to read:

On receipt of the Master's report and recommendation, the President shall refer each claim bill with the report attached

to the Committee on ~~Ways and Means~~ *Finance, Taxation, and Claims*, the provisions of the first paragraph of this Rule to the contrary notwithstanding.

On page 46, Rule 4.15 is amended to read:

Rule 4.15—Referral or postponement on third reading

On the third reading of a bill or joint resolution, it shall not be committed (except to the Committee on ~~Appropriations~~ *Ways and Means*) or amended (except a corrective or title amendment) without consent of two-thirds (2/3) of the Senators voting, nor shall the vote on passage be postponed to a day certain without the consent of a majority of those voting.

Senator W. D. Childers moved that the Senate adopt the report of the Committee on Rules and Calendar containing amendments to the rules which will become effective November 7, 1978. The motion was adopted.

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Wednesday, May 24, 1978:

SB 915	HB 170	SB 1268	HB 6
CS for SB 636	SB 648	CS for SB 188	CS for HB 11
HB 624	HB 1739	SB 859	CS for SB 128
SB 798	CS for HB	SB 1118	SB 801
CS for SB 456	1370	CS for HB	SB 914
SB 1084	HB 1035	456	SB 905
SB 1074	CS for HB	HB 342	SB 1120
SB 1080	448	SB 1274	SB 1212
SB 813	HB 173	SB 1310	CS for SB 824
SB 874	HB 268	SB 1295	SB 814

Respectfully submitted,
 W. D. Childers, Chairman

The Committee on Rules and Calendar requests that the following bills be withdrawn from the Committee and placed on the Local Bill Calendar for Wednesday, May 24, 1978:

SB 1328	HB 1063	HB 1363	HB 1472
SB 1326	HB 1141	HB 1366	HB 1481
SB 1327	HB 1143	HB 1367	HB 1482
SB 1329	HB 1144	HB 1368	HB 1510
SB 1330	HB 1174	HB 1425	HB 1517
SB 1331	HB 1175	HB 1436	HB 1518
SB 1332	HB 1176	HB 1437	HB 1525
SB 1333	HB 1177	HB 1441	HB 1526
SB 1334	HB 1178	HB 1442	HB 1527
SB 1335	HB 1261	HB 1449	HB 1533
SB 1336	HB 1292	HB 1450	HB 1534
SB 1337	HB 1345	HB 1462	HB 1535
SB 1340	HB 1349	HB 1465	HB 1537
CS for HB	HB 1354	HB 1466	HB 1542
785	HB 1355	CS for CS for	HB 1568
HB 968	HB 1356	HB 1467	HB 1581
HB 1001	HB 1357	HB 1468	HB 1599
HB 1028	HB 1358	HB 1469	HB 1737
HB 1031	HB 1360	HB 1470	HB 2094

Respectfully submitted,
 W. D. Childers, Chairman

On motion by Senator W. D. Childers, the report was adopted and the bills were withdrawn from the Committee on Rules and Calendar.

Pursuant to the announcement by memorandum of Friday, May 19, 1978, the Committee on Rules and Calendar recommends the following bills be placed on consent calendar for Thursday, May 25, 1978:

SB 350	HB 378	SB 983	SB 1225
SB 884	SB 208	SB 369	SB 1014
SB 1200	HB 873	SB 41	SB 1108
SB 388	SB 470	SB 324	SB 248
SB 736	SB 679	CS for SB	HB 51
SB 962	SB 1298	1004	SB 793
SB 1276	SB 1284	SB 1085	SB 411
SB 1090	CS for HB	SB 155	SB 238
SB 625	386	SB 134	
SB 1033	SB 1290	SB 700	

Respectfully submitted,
 W. D. Childers, Chairman

The Committee on Rules and Calendar requests that the following bills be withdrawn from the Committee and placed on the Local Bill Calendar for Wednesday, May 24, 1978:

SB 1350

HB 1362

HB 1500

Respectfully submitted,
W. D. Childers, Chairman

The Committee on Commerce recommends the following pass: CS for SB 1089 with 1 amendment, SB 808

The Committee on Corrections, Probation and Parole recommends the following pass: CS for HB 150 with 2 amendments

The Committee on Economic, Community and Consumer Affairs recommends the following pass: HB 359 with 1 amendment

The Committee on Finance, Taxation and Claims recommends the following pass: HB 1245

The Committee on Judiciary-Civil recommends the following pass: CS for SB 612 with 3 amendments

The Committee on Natural Resources and Conservation recommends the following pass: SB 857 with 6 amendments

The Committee on Governmental Operations recommends the following pass: SB 562

The bills contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.

The Committee on Finance, Taxation and Claims recommends the following pass:

SB 1055

SB 1154 with 3 amendments

SB 1078

The Committee on Judiciary-Civil recommends the following pass: SB 762 with 2 amendments

The Committee on Health and Rehabilitative Services recommends the following pass: SB 1062

The bills contained in the foregoing reports were referred to the Committee on Commerce under the original reference.

The Committee on Governmental Operations recommends the following pass: SB 1137 with 2 amendments

The bill was referred to the Committee on Economic, Community and Consumer Affairs under the original reference.

The Committee on Commerce recommends the following pass: SB 880 with 3 amendments, SB 943

The bills were referred to the Committee on Finance, Taxation and Claims under the original reference.

The Special Master-Claims recommends the following pass:

HB 1703

HB 2061

HB 1711

SB 1087 with 4 amendments

The bills were referred to the Committee on Finance, Taxation and Claims under the original reference, pursuant to Rule 4.8.

The Committee on Judiciary-Civil recommends the following pass: SB 1124

The bill was referred to the Committee on Governmental Operations under the original reference.

The Committee on Judiciary-Civil recommends the following pass: CS for SB 674

The bill was referred to the Committee on Health and Rehabilitative Services under the original reference.

The Committee on Commerce recommends the following pass: HB 106

The Committee on Health and Rehabilitative Services recommends the following pass: SB 334, SB 1056

The bills contained in the foregoing reports were referred to the Committee on Judiciary-Criminal under the original reference.

The Committee on Commerce recommends the following pass: SB 1152

The bill was referred to the Committee on Natural Resources and Conservation under the original reference.

The Committee on Commerce recommends the following pass: HB 1781

The bill was referred to the Committee on Personnel, Retirement and Collective Bargaining under the original reference.

The Committee on Appropriations recommends the following pass: SJR 546

The bill was referred to the Committee on Rules and Calendar under the original reference.

The Committee on Agriculture recommends the following pass: HM 1614, HB 1991, with 2 amendments

The Committee on Appropriations recommends the following pass:

SB 109 with 2 amendments

CS for SB 136 with 2 amendments

SB 355

SB 368 with 7 amendments

CS for SB 369

SB 409

SB 543

CS for HB 691 & 839 with 1 amendment

SB 734

SB 790 with 2 amendments

SB 917 with 2 amendments

SB 953 with 2 amendments

CS for SB 1022 with 1 amendment

The Committee on Commerce recommends the following pass:

SB 625 with 1 amendment

CS for SB 812 with 4 amendments

SB 1092

SB 1345

HB 1334 with 3 amendments

SB 795

HB 187 with 2 amendments

HB 929 with 1 amendment

HB 1190 with 2 amendments

HB 1645 with 1 amendment

HB 2041

HB 2079

HB 2109

The Committee on Corrections, Probation and Parole recommends the following pass:

HB 1990 with 2 amendments

HB 811

HB 73

The Committee on Economic, Community and Consumer Affairs recommends the following pass:

HB 183

HB 485

SB 1144

SB 1299

HB 339

SB 1010

SB 1266

The Committee on Finance, Taxation and Claims recommends the following pass:

HB 16 with 2 amendments

SB 304

SB 532

SB 912

SB 1157

SB 1243

SB 1282

The Committee on Governmental Operations recommends the following pass: CS for SB 1014, SB 1265

The Committee on Health and Rehabilitative Services recommends the following pass: SB 1176 with 4 amendments

The Committee on Judiciary-Civil recommends the following pass:

SB 444 with 1 amendment CS for HB 531
SB 1348 HB 1062

The Committee on Judiciary-Criminal recommends the following pass: SB 1098, HB 663 with 4 amendments

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Governmental Operations recommends a Committee Substitute for the following: SB 305

The bill with Committee Substitute attached was referred to the Committee on Appropriations under the original reference.

The Committee on Agriculture recommends a Committee Substitute for the following: SB 899

The Committee on Finance, Taxation and Claims recommends a Committee Substitute for the following: SB 1064

The bills with Committee Substitutes attached contained in the foregoing reports were referred to the Committee on Commerce under the original reference.

The Committee on Governmental Operations recommends a Committee Substitute for the following: SB 1260

The bill with Committee Substitute attached was referred to the Committee on Economic, Community and Consumer Affairs under the original reference.

The Committee on Judiciary-Civil recommends a Committee Substitute for the following: SB 797

The bill with Committee Substitute attached was referred to the Committee on Governmental Operations under the original reference.

The Committee on Commerce recommends a Committee Substitute for the following: SB 1036

The bill with Committee Substitute attached was referred to the Committee on Judiciary-Criminal under the original reference.

The Committee on Agriculture recommends a Committee Substitute for the following: SB 515

The Committee on Appropriations recommends Committee Substitutes for the following:

SB 452 SB 678 SB 1285
SB 547 SB 1004

The Committee on Commerce recommends a Committee Substitute for the following: SB 974

The Committee on Finance, Taxation and Claims recommends a Committee Substitute for the following: SB 286

The Committee on Finance, Taxation and Claims recommends a Committee Substitute for the following: SB 572

The Committee on Governmental Operations recommends a Committee Substitute for the following: SB 100

The Committee on Governmental Operations recommends a Committee Substitute for the following: SB 1053

The Committee on Health and Rehabilitative Services recommends a Committee Substitute for the following: SB 935

The Committee on Judiciary-Civil recommends a Committee Substitute for the following: SB 1142

The Committee on Judiciary-Criminal recommends a Committee Substitute for the following: SB 956

The Committee on Finance, Taxation and Claims recommends a Committee Substitute for the following: SB 168

The bills with Committee Substitutes attached contained in the foregoing reports were placed on the calendar.

The Committee on Commerce recommends the following not pass:

CS for SB 717 SB 555 SB 936

The Committee on Finance, Taxation and Claims recommends the following not pass: HB 841

The Committee on Health and Rehabilitative Services recommends the following not pass: SB 1038, SB 1051

The Committee on Governmental Operations recommends the following not pass: HB 2075

The bills contained in the foregoing reports were laid on the table.

Report of Subcommittee to Standing Committee

The Select Agriculture Subcommittee of the Agriculture Committee recommends favorably with committee substitute to the standing committee: SB 899

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Gordon, the rules were waived and by two-thirds vote HB 775 was withdrawn from the Committees on Finance, Taxation and Claims; and Commerce.

On motion by Senator Gordon, the rules were waived and by two-thirds vote SB 1190 was withdrawn from the Committee on Finance, Taxation and Claims.

On motions by Senator Peterson, the rules were waived and by two-thirds vote SB 1252 was withdrawn from the Committees on Education; and Finance, Taxation and Claims.

On motions by Senator Gallen, the rules were waived and by two-thirds vote House Bills 874, 1194 and CS for HB 307 were withdrawn from the Committee on Economic, Community and Consumer Affairs.

On motion by Senator Scott, by two-thirds vote SB 526 was withdrawn from the committee of reference and indefinitely postponed.

On motion by Senator Jon Thomas, the rules were waived and by two-thirds vote SB 674 was withdrawn from the Committee on Health and Rehabilitative Services.

On motion by Senator Jon Thomas, the rules were waived and by two-thirds vote HB 2155 was withdrawn from the Committee on Health and Rehabilitative Services.

On motion by Senator Renick, by two-thirds vote SB 826 was withdrawn from the committee of reference and indefinitely postponed.

On motion by Senator Renick, by two-thirds vote SB 298 was removed from the calendar and indefinitely postponed.

On motion by Senator Gallen, the rules were waived and by two-thirds vote SB 1137 was withdrawn from the Committee on Economic, Community and Consumer Affairs.

On motions by Senator Johnston, the rules were waived and by two-thirds vote HB 1781 and SB 961 were withdrawn from the Committee on Personnel, Retirement and Collective Bargaining.

On motion by Senator Dunn, by two-thirds vote HB 1959 was withdrawn from the Committees on Commerce and Judiciary-Criminal.

On motion by Senator Vogt, by two-thirds vote SB 1075 was withdrawn from the committee of reference and indefinitely postponed.

On motion by Senator Williamson, by two-thirds vote SB 973 was withdrawn from the committee of reference and indefinitely postponed.

On motions by Senator Lewis, the rules were waived and by two-thirds vote Senate Bills 804, 1149, HB 150, SB 1313 and SB 906 were withdrawn from the Committee on Appropriations.

On motion by Senator W. D. Childers, the rules were waived and by two-thirds vote SB 61 was withdrawn from the Committee on Rules and Calendar.

Senator W. D. Childers moved that the following appointments subject to Senate confirmation be withdrawn from the Committee on Governmental Operations: Chris H. Bentley, Director of the Division of Administrative Hearings, Department of Administration; Donald M. Middlebrooks, Paul R. Brown, Thomas H. Gregory, Joel K. Gustafson and Spurgeon W. McWilliams, Commission on Ethics. The motion was adopted.

On motion by Senator Vogt, the rules were waived and by two-thirds vote HB 1231 was withdrawn from the Committee on Natural Resources and Conservation.

On motions by Senator Gorman, the rules were waived and by two-thirds vote HB 1532 was withdrawn from the Committees on Governmental Operations and Appropriations.

On motions by Senator Hair, by two-thirds vote Senate Bills 796 and 1130 were withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Gordon, the rules were waived and by two-thirds vote SB 845 was withdrawn from the Committee on Finance, Taxation and Claims.

On motion by Senator Myers, the rules were waived and by two-thirds vote HB 405 was withdrawn from the Committee on Commerce.

On motion by Senator Barron, the rules were waived and by two-thirds vote SB 1119 was withdrawn from the Committee on Governmental Operations.

On motion by Senator W. D. Childers, the rules were waived and the Committee on Executive Business was granted permission to meet upon adjournment May 25.

On motion by Senator Lewis, the rules were waived by unanimous consent and the Senate reverted to Introduction for the purpose of introducing the following concurrent resolution out of order:

INTRODUCTION

By Senator Lewis—

SCR 1353—A concurrent resolution recognizing and commending the members of the Constitution Revision Commission.

—which was read the first time in full and referred to the Committee on Rules and Calendar.

On motion by Senator Lewis, by two-thirds vote SCR 1353 was withdrawn from the Committee on Rules and Calendar and placed on the calendar. On motions by Senator Lewis by unanimous consent, SCR 1353 was taken up out of order and by two-thirds vote read the second time by title, adopted and certified to the House. The vote on adoption was:

Yeas—31

Mr. President	Gorman	Myers	Thomas, Pat
Castor	Graham	Peterson	Trask
Childers, Don	Hair	Plante	Vogt
Childers, W. D.	Henderson	Renick	Ware
Dunn	Johnston	Saylor	Williamson
Firestone	Lewis	Scarborough	Wilson
Gallen	MacKay	Scott	Winn
Gordon	McClain	Spicola	

Nays—3

Glisson	Poston	Zinkil
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Vote after roll call:

Yea—Holloway

On motion by Senator W. D. Childers, by two-thirds vote HCR 1283 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator W. D. Childers—

HCR 1283—A concurrent resolution recognizing the extraordinary accomplishments of the Palm Beach Junior College basketball team and commending Coach Joe Ceravolo for his efforts in guiding the team to a state championship.

—was taken up out of order by unanimous consent and on motion by Senator Johnston, read the second time in full, adopted and certified to the House. The vote on adoption was:

Yeas—29

Mr. President	Graham	Renick	Vogt
Castor	Henderson	Saylor	Ware
Childers, Don	Johnston	Scarborough	Williamson
Childers, W. D.	Lewis	Skinner	Wilson
Firestone	MacKay	Spicola	Winn
Gallen	Peterson	Thomas, Pat	
Glisson	Plante	Tobiassen	
Gorman	Poston	Trask	

Nays—None

Votes after roll call:

Yea—Holloway, Scott, Jon Thomas

By Senator W. D. Childers—

SB 1351—A bill to be entitled An act relating to public buildings; naming the Florida Highway Patrol station in Crestview in honor of Joe Neely Livingston, Jr.; providing an effective date.

—which was read the first time by title and referred to the Committee on Rules and Calendar.

On motion by Senator W. D. Childers, by two-thirds vote SB 1351 was withdrawn from the Committee on Rules and Calendar and placed on the calendar. On motions by Senator W. D. Childers by unanimous consent, SB 1351 was taken up out of order and by two-thirds vote read the second time by title, by two-thirds vote read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—30

Mr. President	Graham	Renick	Trask
Barron	Henderson	Saylor	Vogt
Castor	Holloway	Scarborough	Ware
Childers, Don	Johnston	Skinner	Williamson
Childers, W. D.	Lewis	Spicola	Wilson
Firestone	Myers	Thomas, Jon	Winn
Glisson	Peterson	Thomas, Pat	
Gorman	Poston	Tobiassen	

Nays—None

Vote after roll call:

Yea—Scott

By Senator Henderson—

SR 1352—A resolution recognizing the outstanding contributions made to the Sarasota area and to the State of Florida by James D. Neville; recognizing the valuable contribution to our state and nation made by the General Development Corporation and the General Development Foundation for their investigation, preservation, and research at the Little Salt Spring archaeological site; and recognizing the remarkable achievements of W. A. Cockrell and the Underwater Archaeological Research Section of the Bureau of Historic Sites and Properties in advancing the cause of the study of humankind.

—which was read the first time by title and referred to the Committee on Rules and Calendar.

On motion by Senator Henderson, by two-thirds vote SR 1352 was withdrawn from the Committee on Rules and Calendar and placed on the calendar in lieu of SCR 574.

REQUESTS FOR EXTENSION OF TIME

May 19, 1978

The Committee on Commerce requests an extension of 10 days for the consideration of the following:

SB 518 by Senator D. Childers	SB 1236 by Senator Holloway
CS for SB 717 by Senator MacKay and Others	SB 841 by Senator Saylor
SB 763 by Senator Gallen	SB 887 by Senator Scott

The Committee on Governmental Operations requests an extension of 15 days for consideration of the following:

SB 31 by Senator Zinkil	SB 994 by Senator Zinkil
SB 562 by Senator Firestone	(by request)
SB 684 by Senator Gordon	SB 1008 by Senator Gallen
SB 928 by Senator Gallen	SB 1009 by Senator Gallen
SB 929 by Senator Gallen	HB 1621 by Representatives Nelson, Moffitt, Morgan, and others
SB 931 by Senator Gallen	
SB 944 by Senator Zinkil	
SB 951 by Senator Jon Thomas and others	

The Committee on Health and Rehabilitative Services requests an extension of 15 days for consideration of the following:

SB 794 by Senator Gordon	SB 1096 by Senator Scarborough
SB 825 by Senator Glisson	
SB 1038 by Senator Gordon	SB 1133 by Senator Gordon
SB 1051 by Senator Gordon	SB 1164 by Senator Gordon
SB 1060 by Senator Gordon	SB 1174 by Senator Gordon
SB 1062 by Senator Gordon	SB 1176 by Senator Gordon

May 22, 1978

The Committee on Appropriations requests an extension of 15 days for consideration of the following:

SB 16 by Senator Gordon	SB 94 by Senator Graham
SB 35 by Senator Graham	SB 96 by Senator Graham
SB 44 by Senator Graham	SB 103 by Senator Johnston
SB 58 by Senator Glisson	SB 109 by Senator Myers
SB 59 by Senator Saylor	SB 111 by Senator Graham

CS for SB 136 by Committee on Education and Senator Peterson

CS for SB 198 by Committee on Governmental Operations and Senator Glisson

SB 219 by Senators Glisson and Firestone

SB 225 by Senator Firestone

SB 231 by Senator Glisson

SB 297 by Senator Castor

CS for SB 333 by Committee on Judiciary-Criminal and Senators Pat Thomas and Glisson

SB 355 by Senator Plante

SB 357 by Senator Chamberlin

SB 361 by Senators Holloway, Poston and Renick

SB 363 by Senator Holloway

SB 368 by Senator MacKay

CS for SB 369 by Committee on Judiciary-Criminal and Senator Dunn

SB 381 by Senators Holloway, Poston and Renick

SCR 382 by Senator Firestone

SB 383 by Senators Trask and Peterson

SB 391 by Senators Scarborough, Renick and Brantley

SB 409 by Senators Jon Thomas and Firestone

SB 420 by Senator Renick

SB 451 by Senator Renick

SB 452 by Senator Saylor

SB 453 by Senators Graham and Dunn

SB 488 by Senator Vogt

SB 489 by Senator Vogt

SB 490 by Senator Vogt

SB 521 by Senator Gordon

SB 540 by Senators Holloway, Poston and Renick

SB 543 by Senator Graham

SJR 546 by Senator Jon Thomas and others

SB 547 by Senators Jon Thomas and W. D. Childers

SB 566 by Senator Pat Thomas

SB 585 by Senator Jon Thomas

SB 622 by Senator Vogt

CS for SB 629 by Committee on Health and Rehabilitative Services and Senator Castor

SB 632 by Senators MacKay and Pat Thomas

SB 639 by Senator Henderson

SB 678 by Senator Pat Thomas and others

SB 689 by Senator Plante

SB 734 by Senator Dunn

SB 747 by Senator Pat Thomas

SB 755 by Senator Castor

SB 783 by Senator Vogt

SB 790 by Senator Vogt

SB 792 by Senator Firestone

SB 804 by Senator Jon Thomas

SB 855 by Senators Dunn and Firestone

SB 865 by Senator Dunn

SB 879 by Senators Peterson and Trask

CS for SB 896 by Committee on Personnel, Retirement and Collective Bargaining and Senator Johnston (by request)

CS for SB 906 by Committee on Judiciary-Criminal and Senator Castor

SB 917 by Senator Tobiassen

SB 950 by Senator Myers

SB 953 by Committee on Transportation

SB 980 by Senator Jon Thomas

SB 981 by Senator Jon Thomas

SB 996 by Committee on Personnel, Retirement and Collective Bargaining

SB 1004 by Senators MacKay and Peterson

CS for SB 1022 by Committee on Judiciary-Criminal and Senator Johnston

SB 1025 by Senator Pat Thomas

SB 1027 by Senator Hair (by request)

SB 1093 by Senator Poston

SB 1117 by Committee on Agriculture

SB 1125 by Senator Johnston (by request)

SB 1126 by Senator Johnston (by request)

SB 1149 by Senator Ware

SB 1171 by Senator Jon Thomas

SB 1193 by Senator Plante

SB 1210 by Senator Jon Thomas

SB 1219 by Senator Dunn and others

SB 1283 by Senator Holloway

SB 1285 by Senator Myers

CS for SB 1313 by Committee on Natural Resources and Conservation and Senator W. D. Childers

HB 35 by Representative Maxwell

CS for HB's 691 & 839 by Committee on Community Affairs, Representative E. Smith and others

The Committee on Judiciary-Civil requests an extension of 15 days for consideration of the following:

CS for SB 130 by Judiciary-Criminal Committee	SB 444 by Senator Dunn
	SB 596 by Senator Gordon

CS for SB 674 by Judiciary-Criminal Committee and Senator Myers
 SB 698 by Senator Barron
 SB 711 by Senator Johnston
 SB 757 by Senator Williamson

SB 762 by Senator Gallen
 SB 920 by Senator Hair
 SB 930 by Senator Gallen
 SJR 969 by Senator Gallen
 SB 991 by Senator Johnston
 SB 1018 by Senator Williamson
 SB 1063 by Senator Ware
 SB 1082 by Senator Vogt

The Committee on Judiciary-Criminal requests an extension of 15 days for consideration of the following:

SB 752 by Senator Graham
 SB 1197 by Senator W. D. Childers

The Committee on Economic, Community and Consumer Affairs requests an extension of 15 days for consideration of the following:

SB 728 by Senator Gordon
 SB 1050 by Senator Gordon
 SB 1104 by Senator Holloway
 SB 1127 by Senator Scarborough
 SB 1129 by Senator Scarborough
 SB 1162 by Senator Saylor
 SB 1175 by Senator Gordon
 SB 1184 by Senator Pat Thomas

The Committee on Personnel, Retirement and Collective Bargaining requests an extension of 15 days for consideration of the following:

SB 666 by Senator Plante and others
 SB 713 by Senator Tobiasen
 SB 739 by Senator Tobiasen
 SB 750 by Senator Myers
 SB 761 by Senator Gallen
 SB 773 by Senator Firestone
 SB 940 by Committee on Personnel, Retirement and

SB 1101 by Senator Holloway
 SB 1111 by Senator Dunn
 SB 1115 by Senator Graham
 SB 1124 by Senator Johnston
 SB 1130 by Senator Hair
 SB 1132 by Senator Saylor
 SB 1136 by Senator Don Childers

SB 1142 by Senator Hair
 SB 1159 by Senator Pat Thomas
 HB 286 by Representatives Thompson and Fechtel
 HB 1062 by Representative Richard

SB 845 by Senator Wilson
 SB 976 by Senator Jon Thomas

SB 1067 by Commerce Committee and others
 SB 1281 by Senator Renick

The Committee on Governmental Operations requests an extension of 12 days for consideration of the following:

CS for SB 800 by Committee on Natural Resources and Senator Vogt

CS for CS for HB 910 by Committee on Standards & Conduct and Representative Martin

The Committee on Natural Resources and Conservation requests an extension of 10 days for consideration of the following:

SB 696 by Senator Scott
 SB 718 by Senator MacKay
 SB 1045 by Senator Vogt

SB 1046 by Senator Saylor
 SB 1048 by Senator Saylor
 SB 1079 by Senator Trask

The Committee on Transportation requests an extension of 10 days for consideration of the following:

SB 187 by Senator Gallen
 SB 200 by Senator Holloway
 SB 229 by Senator Glisson
 SB 450 by Senator Renick
 SB 496 by Senator Scott

SB 559 by Senator Poston
 SB 582 by Senator Vogt
 SB 616 by Senator Gallen
 SB 916 by Senator Poston
 HB 1112 by Representative O'Malley

The Committee on Governmental Operations requests an extension of 10 days for consideration of the following:

SB 1043 by Senator Plante
 SB 1105 by Committee on Executive Business and others
 SB 1116 by Senator Tobiasen
 SB 1119 by Senator Renick
 SB 1140 by Senator Pat Thomas (by request)
 SB 1160 by Senator Pat Thomas (by request)
 CS/HB 180 by Committee on Standards &

Conduct, and Representative Martin
 CS/HB 245 by Committee on Standards & Conduct and Representative Kershaw
 CS/HB 398 by Committee on Standards & Conduct and Representative Hattaway
 HB 701 by Representative Martin

The Committee on Health and Rehabilitative Services requests an extension of 15 days for consideration of the following:

SB 672 by Senator Glisson
 SB 693 by Senators Tobiasen and Brantley

SB 697 by Senator Gordon
 SB 1228 by Senator Scott (by request)

The Committee on Governmental Operations requests an extension of 15 days for consideration of the following:

SB 608 by Senator Glisson and others
 SB 701 by Senator Renick
 CS for HB 720 by Governmental Operations

Committee and Representative James

The Committee on Education requests an extension of 15 days for consideration of the following:

SB 690 by Senator Poston
 SB 723 by Senator Glisson
 SB 727 by Senator Castor
 SB 919 by Senator Tobiasen
 SB 921 by Senator Dunn

SB 985 by Senator Ware
 SB 986 by Senator Ware (by request)
 SB 1017 by Senator Williamson

The Committee on Corrections, Probation and Parole requests an extension of 15 days for consideration of the following:

SB 613 by Senator Pat Thomas
 SB 779 by Senator Ware
 SJR 840 by Senator Saylor

The Committee on Finance, Taxation and Claims requests an extension of 11 days for consideration of the following:

The Committee on Rules and Calendar requests an extension of 15 days for consideration of the following:

HM 243 by Committee on Veterans Affairs
 HJR 969 by Representative Mixson and others
 HCR 1435 by Representative Smith

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had transmitted to the Secretary of State SB 688 which will become law without his signature.

Appointment Subject to Confirmation by the Senate

The Secretary of State on May 18, 1978 certified that pursuant to the provisions of Section 114.05, Florida Statutes, a certificate subject to confirmation by the Senate had been prepared for the following:

Olivia A. Chaney, Orlando, Member of the State Retirement Commission, for term ending December 31, 1978

—which was referred to the Committee on Executive Business.

By direction of the President, the following executive order was read:

EXECUTIVE ORDER NUMBER 78-25**Amended Executive Order of Suspension**

WHEREAS, JACK TAYLOR, JR., has been previously suspended from the public office which he then held, to-wit: Sheriff of Franklin County, Florida, by Executive Order 78-22, effective at 5:00 p.m., Wednesday May 10, 1978, and

WHEREAS, as a result of an official misconduct investigation conducted by the Florida Department of Criminal Law Enforcement and a subsequent investigation by the Honorable Gordon Oldham, State Attorney for the Fifth Judicial Circuit, numerous violations of the law have been discovered, to-wit:

1. That JACK TAYLOR, JR., used prisoners who were incarcerated in the Franklin County Jail for his own personal use;
2. That JACK TAYLOR, JR., allowed prisoners from the Franklin County Jail to go unsupervised to their homes and/or other places while they were incarcerated in the Franklin County Jail;
3. That JACK TAYLOR, JR., has allowed prisoners to drive county vehicles throughout Franklin County without supervision and on one occasion a prisoner was arrested for driving while intoxicated in a county vehicle;
4. That JACK TAYLOR, JR., purchased a weapon from a prisoner at the Franklin County Jail for the purpose of allowing said prisoner to pay a bond premium so he could be released on bail;
5. That JACK TAYLOR, JR., allowed a bail bondsman who is unlicensed in Franklin County to sign bail bonds for those who are arrested by deputies and has allowed invalid bail bonds to be posted for several years and personally collected bail money for the bondsman and has personally recommended to prisoners a particular bondsman;
6. That JACK TAYLOR, JR., allowed confiscated alcoholic beverages to be transported from the Franklin County Jail to his cottage on Saint George's Island;
7. That JACK TAYLOR, JR., allowed prisoners at the Franklin County Jail to consume alcoholic beverages and smoke marijuana while confined to the Franklin County Jail and failed to take corrective action when brought to his attention;
8. That JACK TAYLOR, JR., permitted inmates of the Franklin County Jail to go fishing with citizens unsupervised and to use county vehicles to take these citizens fishing and said inmates consumed alcoholic beverages during the fishing trip;
9. That JACK TAYLOR, JR., has on occasion consumed alcoholic beverages with an inmate of the Franklin County Jail;
10. That JACK TAYLOR, JR., has on occasion had sexual intercourse with a female prisoner of the Franklin County Jail;

NOW, THEREFORE, I, REUBIN O'D. ASKEW, as Governor, pursuant to the Constitution and Laws of Florida, do hereby find, determine, and allege as follows:

A. That the acts and violations alleged herein all occurred during the present term of office of JACK TAYLOR, JR., as a "county officer" within the meaning of Article IV, Section 7, Florida Constitution (1968), to-wit: Sheriff of Franklin County, Florida.

B. That the said JACK TAYLOR, JR., did commit the acts and violations of Florida law as alleged in this executive

order constituting grounds for suspension under Article IV, Section 7(a), Florida Constitution;

C. That the facts alleged herein constitute the offenses of malfeasance, misfeasance, neglect of duty, commission of a felony or incompetence as such offenses are used in Article IV, Section 7(a), Florida Constitution;

D. That the interest of the residents of Franklin County, Florida, and the citizens of the State of Florida can best be served by the suspension of JACK TAYLOR, JR., from the public office which he now holds.

BEING FULLY ADVISED in the premises, and in accordance with the Constitution and Laws of Florida, the following Executive Order is hereby promulgated effective immediately.

Section 1.

That the suspension of JACK TAYLOR, JR., from public office, to-wit: Sheriff of Franklin County, Florida, be continued in full force and effect without interruption.

Section 2.

That the grounds for suspension from office recited in Paragraphs "1" to "6" of Executive Order No. 78-22 are amended by substituting Paragraphs "1" to "10" of this Order.

Section 3.

That JACK TAYLOR, JR., is hereby continually prohibited from performing any official act, duty or function of any public office, from receiving any pay or allowances, and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which shall remain in effect from the effective date of Executive Order 78-22, until further Executive Order, or as otherwise provided by law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capital, this 22nd day of May 1978.

Reubin O'D. Askew
GOVERNOR

ATTEST:

Bruce A. Smathers
SECRETARY OF STATE

—which was referred to D. Stephen Kahn, Special Master.

VETOED BILL 1978 REGULAR SESSION

The following message from the Governor was read:

Honorable Lew Brantley
President of the Senate
The Capitol

May 23, 1978

Dear President Brantley:

By authority vested in me as Governor of Florida, under provisions of Article III, Section 8, of the Constitution of the State of Florida, I hereby withhold my approval of and transmit to you with my objections Senate Bill 445 enacted by the Fifth Legislature of Florida under the Florida Constitution, 1968 Revision, during the Regular Session of 1978, and entitled:

An act relating to the Municipal Firemen's Pension Trust Fund; amending s. 175.021, Florida Statutes; restating the legislative declaration; amending s. 175.032(1), Florida Statutes; providing a definition of "firefighter" and "volunteer firefighter" and deleting the definition of "fireman"; amending s. 175.041(1), Florida Statutes; redesignating the fund as the Municipal Firefighters' Pension Trust Fund; providing a change in the approval of firefighting equipment; amending s. 175.311, Florida Statutes; prohibiting discrimination in the formulation of benefits; amending s. 175.351(11), Florida Statutes; requiring Department of Insurance approval for implementing or changing pension plan; directing that changes in terminology in the Florida Statutes be made; repealing s. 175.122, Florida Statutes, which places limitations on the disbursement of moneys from the fund to municipalities; providing an effective date.

This bill changes the title of the Municipal Firemen's Pension Trust Fund to Municipal Firefighters' Pension Trust Fund and

provides new definitions for the term firefighter and volunteer firefighters. I have no objections to these proposed changes in the Statutes.

Section 7 of Senate Bill 445, however, repeals Section 175.122, Florida Statutes, effective July 1, 1979, which limits disbursements to municipalities participating in the Municipal Firemen's Pension Trust Funds. Current law provides for the utilization of the State's two percent excise tax on the gross amount of property insurance premiums to assist in funding local municipal firemen pension funds.

Section 175.122, Florida Statutes, provides that a municipality participating in the Municipal Firemen's Pension Fund shall receive either:

- 1) One-half of the two percent tax on the gross amount of premiums collected on property insurance policies covering property within the corporate limits of the municipality, or
- 2) Any municipality receiving less than six percent of its fire department payroll shall be entitled to the remaining half of the two percent excise tax authorized up to a maximum of six percent of the fire department payroll.

All funds not distributed to municipalities are deposited into the General Revenue Fund.

Each municipality, by the repeal of Section 175.122, Florida Statutes, and removal of the six percent payroll cap, would receive the total excise tax, resulting in an annual reduction more than \$666,000 to be deposited into the General Revenue Fund.

By deleting the limitations on disbursements of the tax, the resulting distribution formula does not appear equitable, nor does it take into consideration the needs of the municipalities. It does not meet the sponsor's desire to provide an opportunity for cities to reduce their commitment to funding these pension plans. In fact, this and a subsequent bill would seem to create substantial inequities in municipal pensions.

It appears that an adequate review of the financial effects of Senate Bill 445 was not considered. The bill was referred to neither the Senate nor the House Appropriations Committees for their review and recommendation. Hearings held by other committees were prior to the bill being amended to repeal Section 175.122, Florida Statutes. I have discussed this matter with the sponsors and would urge your favorable consideration of the original intention of the bill to provide new definitions and include public safety officers in these pension plans.

For the above reasons, I am withholding my approval of Senate Bill 445, Regular Session of the Legislature, commencing on April 4, 1978, and do hereby veto the same.

Sincerely,
REUBIN ASKEW
Governor

SB 445 (1978 Regular Session), together with the Governor's objections thereto, was referred to the Committee on Rules and Calendar.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed—

SB 721	SB 323	SB 687
SB 1003	SB 901	

Allen Morris, Clerk

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed—

SB 1347	SB 163	SB 343	SB 890
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Allen Morris, Clerk

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed—

SB 878	SB 1071	CS for SB 1279
SB 614	CS for SB 165	

Allen Morris, Clerk

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed—

SB 308	SB 486	SB 839
SB 269	SB 401	SB 601
SB 146	SB 367	SB 1147
SB 1222	SB 172	SB 408
SB 589	SB 312	

Allen Morris, Clerk

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed SB 769.

Allen Morris, Clerk

The bills contained in the above messages were ordered enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendments and passed as amended HB 54 and CS for HB 654.

Allen Morris, Clerk

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendments and passed HB 1305, as amended.

Allen Morris, Clerk

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with amendments—

The Committee on Transportation and Senators W. D. Childers and Saylor—

CS for SB 671—A bill to be entitled An act relating to railroad safety; requiring the Department of Transportation to provide for the inspection of and adopt rules relating to the construction and maintenance of certain railroad fixtures and equipment, wires, and switches; providing penalties for noncompliance; repealing ss. 350.25-350.27, Florida Statutes, which currently vest such authority in the Florida Public Service Commission; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1 strike everything after the enacting clause and insert the following: Section 1. (1) The Department of Transportation shall employ competent safety inspectors to inspect the physical conditions of the tracks and all supportive, related equipment, including locomotives and other rolling stock of any railroad operated wholly or in part in the state. Safety inspectors shall attain Federal Railroad Administration qualifications necessary to qualify the state for federal funds.

(2) The inspectors shall report in writing the results of their inspections in the manner and on forms prescribed by the department.

Section 2. (1) The Department of Transportation shall adopt rules requiring companies operating railroads wholly or in part in the state to maintain tracks and all supportive, related equipment, including locomotives and other rolling stock of such railroad companies within the state in a safe condition.

(2) If any company operating a railroad either in whole or in part within the state fails to comply with any rule or regulation adopted by the department, such company shall thereby incur a penalty for each offense of not more than \$5,000 to be fixed, imposed and collected by the department.

Section 3. It is the intent of the Legislature that the state supplement and not replace the federal government's responsibility in the inspection of physical conditions of railroad facilities within the state to ascertain compliance with federal standards and regulations. Because this is a supplementary program, the state shall not be deemed to be liable for any actions or omissions in inspecting or failing to inspect railroad facilities. To that end it is the express intent of the Legislature that the provisions of this act shall replace all other provisions in the Florida Statutes relating to jurisdiction over railroad safety.

Section 4. Sections 350.25, 350.26 and 350.27, Florida Statutes, are hereby repealed.

Section 5. This act shall take effect October 1, 1978.

Amendment 2—On page 1, strike the entire title and insert: A bill to be entitled An act relating to railroad safety; requiring the Department of Transportation to provide for the inspection of and adopt rules relating to the safe condition of certain railroad tracks and equipment; providing penalties for non-compliance; providing legislative intent; repealing ss. 350.25, 350.26 and 350.27, Florida Statutes, which currently vest such authority in the Florida Public Service Commission; providing an effective date.

On motions by Senator W. D. Childers, the Senate concurred in the House amendments.

CS for SB 671 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gorman	Plante	Tobiassen
Barron	Hair	Poston	Trask
Castor	Henderson	Renick	Ware
Chamberlin	Holloway	Sayler	Williamson
Childers, Don	Johnston	Scarborough	Wilson
Childers, W. D.	Lewis	Skinner	Winn
Dunn	MacKay	Spicola	Zinkil
Firestone	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

Votes after roll call:

Yea—Graham, Peterson, Vogt

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with amendment—

By Senator Scott—

SB 80—A bill to be entitled An act relating to the Public Service Commission; requiring the commission to mail copies of orders adjusting rates of an electric, telephone, or gas company to the Clerk of the Circuit Court of each county affected; providing for public access to copies of such orders; prescribing the time when such orders shall be considered rendered; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 15, after the word "adjusting" insert: general increases or reductions of

On motion by Senator Scott, the Senate concurred in the House amendment.

SB 80 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—32

Mr. President	Gordon	McClain	Thomas, Pat
Barron	Gorman	Myers	Tobiassen
Castor	Hair	Plante	Trask
Chamberlin	Henderson	Poston	Ware
Childers, Don	Holloway	Renick	Williamson
Childers, W. D.	Johnston	Scarborough	Wilson
Firestone	Lewis	Scott	Winn
Glisson	MacKay	Skinner	Zinkil

Nays—None

Votes after roll call:

Yea—Graham, Vogt

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By Senators Gorman and Peterson—

SB 171—A bill to be entitled An act relating to the real estate brokers and salesmen; creating s. 475.453, Florida Statutes; requiring real estate brokers or salesmen who attempt to negotiate a rental, or who furnish rental information to prospective tenants, for a fee to furnish a contract or receipt containing certain provisions; providing for the refund of a prospective tenant's fee under certain circumstances; authorizing the commission to adopt rules relating to the form of contracts and receipts; providing a penalty; authorizing suspension or revocation of the registration of a broker or salesman who participates in a rental information transaction which is in violation of the act; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 2, lines 14-20, strike all of subsection (2) and insert: (2) The Florida Real Estate Commission may adopt a guideline for the form of the contract or receipt required to be provided by registered brokers or salesmen pursuant to the provisions of subsection (1).

Amendment 2—On page 2, line 10, strike "rules" and insert: the guidelines

Amendment 3—On page 1 in title, line 11, strike "rules" and insert: guidelines

On motions by Senator Gorman, the Senate concurred in the House amendments.

SB 171 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—32

Mr. President	Gorman	McClain	Thomas, Pat
Castor	Graham	Peterson	Tobiassen
Chamberlin	Hair	Plante	Trask
Childers, Don	Henderson	Renick	Ware
Childers, W. D.	Holloway	Sayler	Williamson
Dunn	Johnston	Scarborough	Wilson
Firestone	Lewis	Skinner	Winn
Glisson	MacKay	Spicola	Zinkil

Nays—2

Gordon Myers

Vote after roll call:

Yea—Vogt

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By Senator Gallen—

SB 186—A bill to be entitled An act relating to public nuisances; amending s. 823.10, Florida Statutes, to provide that any place where obscene materials or performances are illegally used, viewed, sold or delivered is a public nuisance; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 11, strike everything after the enacting clause and insert:

Section 1. Section 823.13, Florida Statutes, is created to read:

823.13 Places where obscene materials are illegally kept, sold, or used, declared a public nuisance; drive-in theaters, films visible from public streets or public places.—

(1) Any store, shop, warehouse, building, vehicle, ship, boat, vessel, aircraft, or any place whatever, which is visited by persons for the purpose of unlawfully purchasing or viewing any obscene material or performance as described in chapter 847, or which is used for the illegal keeping, selling, or delivering of the same, shall be deemed a public nuisance. No person shall keep or maintain such public nuisance or aid and abet another in keeping or maintaining such public nuisance.

(2) It shall be unlawful and is hereby declared a public nuisance for any ticket seller, ticket taker, usher, motion picture projection machine operator, manager, owner, or any other person connected with or employed by any drive-in theater in the state to knowingly exhibit, or aid or assist in exhibiting any motion picture, slide, or other exhibit which depicts nudity which is harmful to minors as described in chapter 847.013, if such motion picture, slide, or other exhibit is visible from any public street or public place, other than that place intended for the showing of such motion pictures, slides or other exhibits.

Section 3. This act shall take effect October 1, 1978.

Senator Gallen moved the following amendment to House Amendment 1 which was adopted:

Amendment 1A—On page 1, line 14, strike “3.” and insert: 2.

Amendment 2—On page 1, lines 1-7, strike all of said lines and insert: A bill to be entitled An act relating to public nuisances; creating s. 823.13, Florida Statutes, to provide that any place where unlawful obscene materials or performances are illegally used, viewed, sold or delivered is a public nuisance; prohibiting drive-in theaters from exhibiting material harmful to minors when visible from a public street or public place; providing an effective date.

On motion by Senator Gallen, the Senate concurred in House Amendment 1 as amended and the House was requested to concur.

On motion by Senator Gallen, the Senate concurred in House Amendment 2.

SB 186 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—32

Mr. President	Gorman	Peterson	Thomas, Pat
Castor	Graham	Poston	Tobiasen
Chamberlin	Hair	Renick	Trask
Childers, Don	Henderson	Sayler	Vogt
Childers, W. D.	Holloway	Scarborough	Ware
Dunn	Johnston	Skinner	Williamson
Firestone	Lewis	Spicola	Winn
Glisson	MacKay	Thomas, Jon	Zinkil

Nays—3

Gordon Myers Wilson

Vote after roll call:

Yea to Nay—Holloway

Senator Gallen moved that the Senate reconsider the vote by which CS for SB 970 passed on May 18.

The motion was placed on the calendar for consideration May 25.

SPECIAL ORDER

Senator Trask presiding

SB 915 was taken up and on motion by Senator Don Childers—

CS for HB 307—A bill to be entitled An act relating to condominiums; adding new paragraphs to s. 718.112(2), Florida Statutes, and amending subsection (3), providing that condominium association bylaws must require that all officers of certain associations shall be bonded and that the association shall bear the cost of bonding; requiring that such bylaws include proposed annual budget information; amending s. 718.111(1), Florida Statutes, and adding subsections (11), (12) and (13) thereto, exempting certain associations from the requirement of being incorporated; providing that notwithstanding any provision in chapter 718, Florida Statutes, an association under certain conditions may operate a group of residential condominiums as though they were a single condominium for purposes of financial matters and that common expenses for a group of residential condominiums operated by a single association may be assessed against all unit owners; requiring that certain amendments to a declaration of condominium be by secret ballot; authorizing condominium associations to purchase land and/or recreation leases; amending s. 718.203(6), Florida Statutes, providing that an insured warranty program of no less than 10 years duration which covers a residential condominium shall remain in effect for the remaining portion of said 10 year period; providing that the insuring company is required to meet any obligations of this section; providing an effective date.

—a companion measure, was substituted for SB 915 and read the second time by title.

On motion by Senator Don Childers, further consideration of CS for HB 307 was deferred.

By the Committee on Commerce and Senators McClain, MacKay and Zinkil—

CS for SB 636—A bill to be entitled An act relating to workmen's compensation; amending s. 440.02(1)(b), (9), Florida Statutes; changing the definitions of “employment” to one with three or more employees and “disability” to require physical impairment and to include diminution of wage-earning capacity; amending s. 440.11(1), Florida Statutes; extending the exclusiveness of liability to fellow employees with certain exceptions; amending s. 440.12(2), Florida Statutes; providing that the average weekly wage shall be adjusted to the nearest dollar; amending s. 440.13(3)(a), Florida Statutes; providing that fees or charges for hospital treatment may be limited by rule; amending s. 440.15(3), (10)(c), (11), Florida Statutes; changing provisions for permanent partial disability compen-

sation; providing for release of certain unemployment compensation information; providing for reduction of workmen's compensation benefits for permanent total disability if the claimant is also receiving unemployment compensation benefits; amending s. 440.185(2), (4), (9), Florida Statutes; reducing the number of days in which the employer shall report an injury to his insurer; requiring the division to notify an injured employee of his rights; increasing the penalty to the employer for failure to notify his carrier within the specified time; amending s. 440.20(5), (10), Florida Statutes, and adding subsection (14) to said section; increasing the penalty to the carrier for failure to pay compensation in a timely manner; authorizing the judge of industrial claims to examine lump sum payments in excess of benefits allowable under the law; authorizing lump sum settlements without a hearing under certain circumstances; requiring the carrier to notify the employer of any pending settlement; prohibiting lump sum payments for future medical expenses; amending s. 440.25(3)(b), Florida Statutes, and adding paragraph (d) to said subsection; limiting the extent of an award for disability; requiring certain reports from judges of industrial claims and industrial relations commissioners; amending s. 440.29(3), Florida Statutes; authorizing the practice and procedure before judges of industrial claims to be promulgated by rules of the division; amending s. 440.34(1), (3), (5), Florida Statutes; providing for determination of attorney's fees by judges of industrial claims; increasing penalty for receiving consideration or a gratuity for certain services with respect to claims and for soliciting business; limiting attorney's fees subsequent to a written offer of settlement; amending s. 440.37, Florida Statutes; providing a penalty for making, presenting, causing to be presented, or preparing false, incomplete, or misleading statements with respect to claims; providing a penalty for fraud; providing that such fraud is grounds for imposition of administrative penalties by various licensing boards; establishing a cause of action for damages resulting from such violations; creating s. 440.442, Florida Statutes; establishing a code of conduct for, and procedures for the discipline of judges of industrial claims and industrial relations commissioners; amending s. 440.45(1), Florida Statutes; providing for appointment from nominations for judges of industrial claims; amending s. 440.49(1), (2), Florida Statutes; requiring special reports by judges of industrial claims; providing for a 50 percent reduction in compensation when a claimant refuses to accept training or education; amending s. 443.12(7), Florida Statutes; providing circumstances for the release of unemployment compensation records; creating s. 624.433, Florida Statutes; requiring all workmen's compensation insurers to make annual reports to the Department of Insurance; requiring the Department of Insurance to review workmen's compensation insurance rates and determine if they are excessive, inadequate or unfairly discriminatory; authorizing a new rate schedule under certain circumstances; providing severability; providing an effective date.

—was read the first time by title and SB 636 was laid on the table.

On motion by Senator McClain, by two-thirds vote CS for SB 636 was read the second time by title.

Senators McClain, MacKay and Zinkil offered the following amendment which was moved by Senator McClain:

Amendment 1—On page 4, line 3, strike all after the enacting clause and insert: Section 1. Paragraph (b) of subsection (1) and subsection (9) of section 440.02, Florida Statutes, are amended to read:

440.02 Definitions.—When used in this chapter, unless the context clearly requires otherwise, the following terms shall have the following meanings:

(1) "Employment."

(b) The term "employment" shall include:

1. Employment by the state and all political subdivisions thereof and all public and quasi-public corporations therein, including officers elected at the polls.

2. All private employments in which three or more employees are employed by the same employer.

(9) "Disability" means any bodily disability rating based on an injury which is medically or scientifically demonstrable

and which results in an incapacity because of the injury to earn in the same or any other employment the wages which the employee was receiving at the time of the injury or wage-earning loss as prescribed by s. 440.15(3)(b).

Section 2. Subsection (1) of section 440.11, Florida Statutes, is amended to read:

440.11 Exclusiveness of liability.—

(1) The liability of an employer prescribed in s. 440.10 shall be exclusive and in place of all other liability of such employer to any third party tortfeasor and to the employee, the legal representative thereof, husband or wife, parents, dependents, next of kin, and anyone otherwise entitled to recover damages from such employer at law or in admiralty on account of such injury or death, except that if an employer fails to secure payment of compensation as required by this chapter, an injured employee, or the legal representative thereof in case death results from the injury, may elect to claim compensation under this chapter or to maintain an action at law or in admiralty for damages on account of such injury or death. In such action the defendant may not plead as a defense that the injury was caused by negligence of a fellow servant, that the employee assumed the risk of the employment, or that the injury was due to the contributory negligence or comparative negligence of the employee. *The same immunities from liability enjoyed by an employer shall extend as well to each employee of the employer when such employee is acting in furtherance of the employer's business and the injured employee is entitled to receive benefits under this chapter. Such fellow-employee immunities shall not be applicable to an employee who acts, with respect to a fellow employee, with willful and wanton disregard or unprovoked physical aggression or with gross negligence when such acts result in injury or death, or such acts proximately cause such injury or death, nor shall such immunities be applicable to employees of the same employer when each is operating in the furtherance of the employer's business but they are assigned primarily to unrelated works within private or public employment.*

Section 3. Subsection (2) of section 440.12, Florida Statutes, is amended to read:

440.12 Time for commencement and limits on weekly rate of compensation.—

(2) Compensation for disability resulting from injuries which occur after December 31, 1974, shall not be less than \$20 per week. However, if the employee's wages at the time of injury are less than \$20 per week, he shall receive his full weekly wages. If his wages at the time of the injury exceed \$20 per week, compensation shall not exceed an amount per week which is:

(a) Equal to sixty-six and two-thirds percent of the average weekly wage, determined as hereinafter provided for the year in which the injury occurred and

(b) Adjusted to the nearest dollar multiple of \$7. For the purpose of this subsection the "average weekly wage" means the average weekly wage paid by employers subject to the Florida Unemployment Compensation Law as reported to the department for the four calendar quarters ending each June 30, which average weekly wage shall be determined by the department on or before November 30 of each year and shall be used in determining the maximum weekly compensation rate with respect to injuries occurring in the calendar year immediately following. The average weekly wage determined by the department shall be reported annually to the legislature.

Section 4. Paragraph (a) of subsection (3) of section 440.13, Florida Statutes, is amended to read:

440.13 Medical services and supplies; penalty for violations; limitations.—

(3)(a) All fees and other charges for such treatment or service, including treatment or service at any hospital in non-emergency cases or other health care provider, shall be limited to such charges as prevail in the same community for similar treatment of injured persons of like standard of living, and shall be subject to regulations by the division, which shall adopt schedules of charges for such treatment or services.

Section 5. Subsections (3) and (11) and paragraph (c) of subsection (10) of section 440.15, Florida Statutes, are amended to read:

440.15 Compensation for disability.—Compensation for disability shall be paid to the employee, subject to the limits provided in s. 440.12(2), as follows:

(3) PERMANENT PARTIAL DISABILITY.—In case of disability partial in character but permanent in quality, the compensation shall, in addition to that provided by subsection (2), be 60 percent of the average weekly wages, and shall be paid to the employees as follows: provided in paragraphs (a) and (b) of this subsection.

(a) When a bodily disability rating is in excess of:

1. Sixty-nine percent of the body as a whole but less than 100 percent, the compensation shall be 100 percent of the injured employee's average weekly wage for such number of weeks as the injured employee's percentage of disability is of 450 weeks;

2. Fifty-nine percent of the body as a whole but less than 70 percent, the compensation shall be 80 percent of the injured employee's average weekly wage for such number of weeks as the injured employee's percentage of disability is of 400 weeks;

3. Forty-nine percent of the body as a whole but less than 60 percent, the compensation shall be 60 percent of the injured employee's average weekly wage for such number of weeks as the injured employee's percentage of disability is of 400 weeks;

4. Thirty-nine percent of the body as a whole but less than 50 percent, the compensation shall be 60 percent of the injured employee's average weekly wage for such number of weeks as the injured employee's percentage of disability is of 350 weeks;

5. Twenty-nine percent of the body as a whole but less than 40 percent, the compensation shall be 60 percent of the injured employee's average weekly wage for such number of weeks as the injured employee's percentage of disability is of 300 weeks;

6. Nineteen percent of the body as a whole but less than 30 percent, the compensation shall be 60 percent of the injured employee's average weekly wage for such number of weeks as the injured employee's percentage of disability is of 200 weeks;

7. Zero percent of the body as a whole but less than 20 percent, the compensation shall be 60 percent of the injured employee's average weekly wage for such number of weeks as the injured employee's percentage of disability is of 100 weeks.

(a) Arm lost, 200 weeks' compensation.

(b) Leg lost, 200 weeks' compensation.

(c) Hand lost, 175 weeks' compensation.

(d) Foot lost, 175 weeks' compensation.

(e) Eye lost, 175 weeks' compensation.

(f) Thumb lost, 60 weeks' compensation.

(g) First finger lost, 35 weeks' compensation.

(h) Great toe lost, 30 weeks' compensation.

(i) Second finger lost, 30 weeks' compensation.

(j) Third finger lost, 20 weeks' compensation.

(k) Toe other than great toe lost, 10 weeks' compensation.

(l) Fourth finger lost, 15 weeks' compensation.

(m) Loss of hearing: Compensation for loss of hearing of one ear, 40 weeks. Compensation for loss of hearing of both ears, 150 weeks.

(n) Phalanges: Compensation for loss of more than one phalange of a digit shall be the same as for loss of the entire digit. Compensation for loss of the first phalange shall be one-half of the compensation for the loss of the entire digit.

(o) Amputated arm or leg: Compensation for an arm or leg, if amputated at or above the elbow or the knee, shall be the same as for the loss of the arm or leg, but, if amputated between the elbow and the wrist, or the knee and the ankle, shall be the same as for loss of hand or foot.

(p) Percent of vision: Compensation for loss of 80 percent or more of the vision of an eye shall be the same as for the loss of the eye.

(q) Two or more digits: Compensation for loss of two or more digits or one or more phalanges of two or more digits, of a hand or foot may be proportioned to the loss of use of the hand or foot occasioned thereby, but shall not exceed the compensation for loss of a hand or foot.

(r) Total loss of use: Compensation for permanent total loss of use of a member shall be the same as for loss of the member.

(s) Partial loss or partial loss of use: Compensation for permanent partial loss or loss of use of a member may be for proportionate loss or loss of use of the member.

(t) Disfigurement: The judge of industrial claims shall award proper and equitable compensation for serious facial or head disfigurement, not to exceed \$2,000; provided, that in such award the judge of industrial claims shall consider only the effect such disfigurement shall have on the future earning capacity of the injured employee.

(b)(u) Other cases: In all other any cases in this class of disability in which the injured employee claims a wage-earning loss, the compensation shall be 60 percent of the injured employee's average weekly wage for such number of weeks as the injured employee's percentage of disability is of 350 weeks with the employer or carrier receiving credit for any payments of compensation made under paragraph (a); provided, however, that for the purpose of this paragraph "disability" means either physical impairment or diminution of wage-earning loss capacity, whichever is greater. However, no claims for a wage-earning loss shall be made until after the date of the last permanent partial disability payment based on the bodily disability rating. In determining a wage-earning loss, the industrial claims judge shall consider the injured worker's physical condition and inability to obtain a type of work which he can do insofar as affected by the injury, wages actually being earned after the injury, and evidence of realistic work search. If the industrial claims judge makes an award based on a wage-earning loss, he shall make specific written findings of fact in the record based on each of the above criteria, setting forth the justification of any award based on a wage-earning loss.

(c) When a disabled worker reaches maximum medical improvement and receives a bodily disability rating from the authorized treating physician, the carrier, notwithstanding the provisions of s. 440.19(1)(a), within 21 days after the date of the last permanent partial disability payment based on the bodily disability rating as provided in paragraph (a) or after the date a claim is made for a wage-earning loss, whichever is later in time, shall accept a wage-earning loss if such wage-earning loss is greater than the disability rating.

(d) The division shall adopt rules for determining the existence and degree of permanent bodily disability ratings. Such rules shall be in accordance with guidelines for such determination established by the American Medical Association as revised from time to time, where such guidelines are applicable. Any evaluation or finding as to the existence or degree of such bodily disability rating made for the purposes of this chapter shall be made in accordance with such rules.

(10) EMPLOYEE ELIGIBLE FOR BENEFITS UNDER THIS CHAPTER AND FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE ACT.—

(c) No disability compensation benefits payable for any week, including those benefits provided by paragraph (1)(e), shall be reduced pursuant to this subsection until the Social Security Administration determines the amount otherwise payable to the employee and his or her dependents under 42 U.S.C. s. 423 and s. 402 and the employee has begun receiving such social security benefit payments. The employee shall, upon demand by the division, the employer, or the carrier, authorize the Social Security Administration to release disability information relating to him, and authorize the Division of Employment Security to release unemployment compensation information relating to him, in accordance with rules to be promulgated by the division prescribing the procedure and manner for requesting the authorization and for compliance by the employee. Neither the division nor the employer or carrier shall make any payment of benefits for total disability or those additional benefits provided by paragraph (1)(e)

for any period during which the employee willfully fails or refuses to authorize the release of information in the manner and within the time prescribed by said rules. The authority for release of disability and benefits information granted by an employee under this paragraph shall be effective for a period not to exceed 12 months, such authority to be renewable as the division may prescribe by rule.

(11) **EMPLOYEE ELIGIBLE FOR BENEFITS UNDER THIS CHAPTER WHO HAS RECEIVED UNEMPLOYMENT COMPENSATION.**—Weekly compensation benefits payable under this chapter for temporary total disability or permanent total disability resulting from injuries to an employee who is receiving or has received unemployment compensation under chapter 443, or under the unemployment compensation law of any other state, for any week with respect to which weekly compensation benefits are payable under this chapter for temporary total disability or permanent total disability, shall be reduced by the amount of unemployment compensation received.

Section 6. Subsection (2), (4), and (9) of section 440.185, Florida Statutes, are amended to read:

440.185 Notice of injury or death; reports; penalties for violations.—

(2) Within 7 ~~10~~ days of actual knowledge of injury or death, the employer shall report same to the carrier by letter or on a form prescribed by the division, providing the following information:

- (a) The name, address, and business of the employer;
- (b) The name, social security number, street, mailing address, and occupation of the employee;
- (c) The cause and nature of the injury or death;
- (d) The year, month, day, and hour when, and the particular locality where, the injury or death occurred; and
- (e) Such other information as the division may require.

(4) The carrier of a self-insured employer shall, within 10 days of receipt of the form reporting the injury, or of knowledge of the injury if the employer is self-insured, mail the form or a letter containing the information required by subsection (2) to the division at its address in Tallahassee. However, the division may by rule provide for a different reporting system for those types of injuries it determines should be reported in a different manner. *Within 24 hours after receipt of the report of injury from the carrier or self-insured employer, the division shall notify the injured employee by appropriate written notice advising him of his rights, remedies and responsibilities under the act. The Workman's Compensation Advisory Council shall annually review the means of said notification and shall recommend to the division appropriate changes.*

(9) ~~Any employer or carrier who fails or refuses to send any form, report, or notice required by this section shall be subject to a civil penalty not to exceed \$100 for each such failure or refusal. However, Any employer who fails to notify the carrier of the injury on the prescribed form or by letter within the 7 ~~10~~ days required in subsection (2) shall be liable for a civil penalty, not to exceed \$200 which shall be paid directly to the employee by the employer and not the carrier. Failure by the employer to meet its obligations under subsection (2) shall not relieve the carrier from liability for the civil penalty if it fails to comply with subsections (4) and (5).~~

Section 7. Subsections (5) and (10) of section 440.20, Florida Statutes, are amended and subsection (14) is added to said section to read:

440.20 Payment of compensation.—

(5) If any installment of compensation payable without an award is not paid within 14 days after it becomes due, as provided in subsection (2), there shall be added to such unpaid installment an amount equal to 20 ~~10~~ percent thereof, which shall be paid at the same time as, but in addition to, such installment of compensation, unless notice is filed under subsection (4), or unless such nonpayment results from conditions over which the employer or carrier had no control. When any installment of compensation payable without an award has not been paid within 14 days after it became due and the claimant concludes the prosecution of the claim before

a judge without having specifically claimed additional compensation in the nature of a penalty under this section, he will be deemed to have acknowledged that, owing to conditions over which the employer or carrier had no control, such installment could not be paid within the period prescribed for payment and to have waived his right to claim such penalty. However, during the course of a hearing, the judge on his own motion may raise the question of whether such penalty should be awarded or excused. If no claim for such penalty is presented and the judge does not raise the question on his own motion during the hearing, no penalty will be awarded, and it will be deemed that the judge has excused such delay in payment of compensation pursuant to this section. The division may assess without a hearing the above-mentioned 20 ~~10~~ percent additional payment against either the employer or the insurance carrier, depending upon who was at fault in causing the delay. However, if any party requests a hearing within 20 days of the assessment, such hearing shall be conducted before a judge of industrial claims in accordance with s. 440.25. The insurance policy cannot provide that this sum will be paid by the carrier if the division or the judge of industrial claims determines that the 20 ~~10~~ percent additional payment should be made by the employer rather than the carrier. *Any additional installment of compensation paid by the carrier pursuant to this section shall be paid directly to the employee.*

(10) Upon the application of any party in interest and after giving due consideration to the interests of all interested parties, if a judge of industrial claims finds that it is for the best interests of the person entitled to compensation, said judge of industrial claims may enter a compensation order requiring that the liability of the employer for compensation shall be discharged by the payment of a lump sum equal to the present value of all future payments of compensation, computed at 4 percent true discount compounded annually, or requiring that the employer make advance payment of a part of the compensation for which said employer is liable by the payment of a lump sum equal to the present value of such part of the compensation computed at 4 percent true discount compounded annually. Upon joint petition of all interested parties and after giving due consideration to the interests of all interested parties, if a judge of industrial claims finds that it is for the best interests of the person entitled to compensation, such judge of industrial claims may enter a compensation order approving and authorizing the discharge of the liability of the employer for both compensation and remedial treatment, care, and attendance by the payment of a lump sum equal to the present value of all future payments for both compensation and remedial treatment, care, and attendance; and a compensation order so entered upon joint petition of all interested parties shall not be subject to modification or review under s. 440.28. *Provided, however, that nothing in this subsection shall be construed to mean that a judge of industrial claims is required to approve any award for lump sum payment when it is determined by the judge of industrial claims that the payment being made is in excess of the amount of compensation the claimant would be entitled to under the law. The judge shall make or cause to be made such investigations as he or she considers necessary, in each case in which the parties have stipulated that a proposed final settlement of all liability of the employer shall not be subject to modification or review under s. 440.28, to determine whether such final disposition will definitely aid the rehabilitation of the injured worker or otherwise is clearly for the best interests of the person entitled to compensation, and in his discretion may have an investigation made by the Rehabilitation Section of the Bureau of Workmen's Compensation. The joint petition and the report of any investigation so made will be deemed a part of the proceeding. A judge, in his discretion, may hear testimony relating to a proposed stipulation for settlement under this subsection without having in hand the bureau file; however, he shall in no event enter an order thereon without first having reviewed the bureau file. When the claimant is represented by counsel or when the claimant and carrier or employer is represented by counsel, final approval of the lump sum settlement agreement as provided for in the joint stipulation, shall be deemed to be approved without a hearing unless the judge determines, at his discretion, that additional testimony is needed before the case can be settled and so notifies the parties within 15 days after filing of said joint stipulation. The probability of the death of the injured employee or other person entitled to compensation before the expiration of the period during which such person is entitled to compensation shall, in the absence of special circumstances making such course improper, be determined in accordance with the most recent United States Life Tables published by the National Office of Vital Statistics*

of the United States Department of Health, Education, and Welfare. The probability of the happening of any other contingency affecting the amount or duration of the compensation, except the possibility of the remarriage of a surviving spouse, shall be disregarded. As a condition of approving a lump sum payment to a surviving spouse, the judge of industrial claims in the judge's discretion may require security which will insure that, in the event of the remarriage of such surviving spouse, any unaccrued future payments so paid may be recovered or recouped by the employer or carrier. Such applications shall be considered and determined in accordance with ss. 440.25 and 440.27 and the workmen's compensation rules of procedure prescribed by the commission and adopted by the Supreme Court. *Whenever a claim is to be settled under this section, the carrier shall notify the employer and the employer may, at the employer's expense, employ an attorney to represent the interest of the employer before any claim may be approved and paid under this section.*

(14) LUMP-SUM PAYMENTS; LIMITATIONS.—

(a) *Lump-sum payments in exchange for a release of the carrier's liability for compensation other than for medical expenses shall be allowed only under special circumstances when the claimant can demonstrate it is to be in his or her best interests.*

(b) *In no case shall a lump-sum payment in exchange for the release of a carrier's liability for future medical expenses be allowed.*

Section 8. Paragraph (b) of subsection (3) of section 440.25, Florida Statutes, is amended and paragraph (d) is added to said subsection to read:

440.25 Procedure in respect to claims.—

(3)

(b) The hearing shall be held in the county where the injury occurred, if the same occurred in this state, unless otherwise agreed to between the parties and authorized by the judge of industrial claims in the county where the injury occurred. If the injury occurred without the state, and is one for which compensation is payable under this chapter, then the hearing above referred to may be held in the county of the employer's residence or place of business, or in any other county of the state which will at the time of forwarding the file for hearing, in the discretion of the division, be the most convenient for a hearing. Subsequent to the forwarding of the file to such county, the parties and the judge may agree to transfer such file to a county that is deemed most convenient for a hearing. The hearing shall be conducted by a judge of industrial claims, who shall within 30 days, unless otherwise agreed to by the parties, after such hearing determine the dispute in a summary manner. At such hearing the claimant and employer may each present evidence in respect of such claim and may be represented by any attorney authorized in writing for such purpose. When there is a conflict in the medical evidence submitted at the hearing the judge of industrial claims may designate a disinterested doctor to submit a report or to testify in the proceeding, after such doctor has reviewed the medical reports and evidence, examined the claimant, or otherwise made such investigation as appropriate. The report or testimony of any doctor so designated by the judge of industrial claims shall be made a part of the record of the proceeding and shall be given the same consideration by the judge of industrial claims as is accorded other medical evidence submitted in the proceeding; and all costs incurred in connection with such examination and testimony may be assessed as costs in the proceeding, subject to the provisions of s. 440.13(3)(a). *No judge of industrial claims shall either make a finding of, or award compensation for, a disability for physical impairment that is greater in character or in quality than the greatest disability testified to by any examining or treating physician.*

(d) *Each judge of industrial claims and each commissioner of the Industrial Relations Commission is hereby required to submit a special report to the Bureau of Workmen's Compensation in each contested workmen's compensation case in which the case is not determined within 30 days of hearing or within 180 days of filing of an application for review. Said form shall be provided by the bureau and shall contain the name of the judge of industrial claims, the commissioners and the attorneys involved and a brief explanation of the judge of industrial claims or the industrial relations commissioner as to the reason for such a delay in issuing its final order.*

The Bureau of Workmen's Compensation shall compile these special reports into an annual public report to the Governor, the Secretary of Commerce, the Legislature, the Florida Bar, and the judicial nominating commission.

Section 9. Subsection (3) of section 440.29, Florida Statutes, is amended to read:

440.29 Procedure before the commission or judges of industrial claims.—

(3) ~~The practice and procedure before the commission and the judges of industrial claims shall be governed by rules adopted by the Supreme Court. The practice and procedure, including but not limited to administrative procedures and hearing procedures before the judges of industrial claims shall be governed by rules promulgated by the division. This provision shall not be construed to mean that there can be any interference with a judge of industrial claims' independent decision as to the subject matter of any case before him, or as to any ruling to be made by the judge of industrial claims. This provision is to insure the uniform handling of workmen's compensation claims throughout the state, and to additionally insure that claimant's cases are dispensed within the shortest time possible.~~

Section 10. Subsections (1), (3), and (5) of section 440.34, Florida Statutes, are amended to read:

440.34 Attorney's fees; costs; penalty for violations.—

(1) If the employer or carrier shall file notice of controversy as provided in s. 440.20, shall decline to pay a claim on or before the 21st day after they have notice of same, or shall otherwise resist unsuccessfully the payment of compensation, and the claimant shall have employed an attorney at law in the successful prosecution of the claim, there shall, in addition to the award for compensation, be awarded a reasonable attorney's fee of 25 percent of the first \$5,000 of the amount of the benefits secured, 20 percent of the next \$5,000 of the amount of the benefits secured, and 15 percent of the remaining amount of the benefits secured, to be determined ~~approved~~ by the judge of industrial claims, which fee may be paid direct to the attorney for the claimant in a lump sum. *Of such attorney's fees, 50 percent shall be paid by the employer or carrier and 50 percent shall be paid by the claimant; however, the employer or carrier shall pay all of the attorney's fee if the claimant proves to the judge that the employer or carrier handled his claim in a negligent, arbitrary, or capricious manner, and acted without probable cause.* However, the judge of industrial claims shall consider the following factors in each case and may increase or decrease the attorney's fee if in his judgment the circumstances of the particular case warrant such action:

(a) The time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly.

(b) The likelihood, if apparent to the claimant, that the acceptance of the particular employment will preclude employment of the lawyer by others or cause antagonisms with other clients.

(c) The fee customarily charged in the locality for similar legal services.

(d) The amount involved in the controversy and the benefits resulting to the claimant.

(e) The time limitation imposed by the claimant or the circumstances.

(f) The nature and length of the professional relationship with the claimant.

(g) The experience, reputation, and ability of the lawyer or lawyers performing the services.

(h) The contingency or certainty of a fee.

(3) If any proceedings are had for review of any claim, award, or compensation order before any court, the court may allow or increase the attorney's fees, in its discretion, which fees shall be in addition to the compensation paid the claimant and shall be paid as the court may direct. *However, if the employer or carrier serves on the claimant a written offer of settlement and such offer is not accepted in writing within 10 days of such service, and the award for compensation is less than or equal to the written offer of settlement, the em-*

ployer or carrier shall not be required to pay that portion of the fee attributable to work performed after the claimant's failure to accept the offer.

(5) Any person:

(a) Who receives any fees or other consideration or any gratuity on account of services so rendered, unless such consideration or gratuity is approved by the judge of industrial claims, the commission, or such court; or

(b) Who makes it a business to solicit employment for a lawyer or for himself or herself in respect of any claim or award for compensation, shall be guilty of a felony of the third degree ~~misdemeanor of the second degree~~, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 11. Section 440.37, Florida Statutes, is amended to read:

440.37 Misrepresentation; fraudulent activities; penalties penalty.—

(1)(a) Any person who willfully makes any false or misleading statement or representation for the purpose of obtaining or denying any benefit or payment under this chapter; or shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) Who presents or causes to be presented any written or oral statement as part of, or in support of, a claim for payment or other benefit pursuant to any provision of chapter 440, knowing that such statement contains any false or misleading information concerning any fact or thing material to such claim; or

(c) Who prepares or makes any written or oral statement that is intended to be presented to any employer, insurance company, or self insured program in connection with, or in support of, any claim for payment or other benefit pursuant to any provision of chapter 440, knowing that such statement contains any false or misleading information concerning any fact or thing material to such claim; shall be guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(2)(a) All claims forms as provided for in this chapter shall contain a notice that clearly states in substance the following: "Any person who, knowingly and with intent to injure, defraud, or deceive any employer or employee, insurance company, or self insured program, files a statement of claim containing any false or misleading information is guilty of third degree felony."

(b)1. Any physician licensed under chapter 458, osteopath licensed under chapter 459, chiropractor licensed under chapter 460, or any other practitioner licensed under the laws of this state who knowingly and willfully assists, conspires with, or urges any insured party to fraudulently violate any of the provisions of this chapter, or any person who, due to such assistance, conspiracy, or urging by said physician, osteopath, chiropractor, or practitioner, knowingly and willfully benefits from the proceeds derived from the use of such fraud, is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. In the event that a physician, osteopath, chiropractor, or other practitioner is adjudicated guilty of a violation of this subparagraph, the State Board of Medical Examiners as set forth in chapter 458, the State Board of Osteopath Medical Examiners as set forth in chapter 459, or the Florida State Board of Chiropractic Examiners as set forth in chapter 460, or other appropriate licensing authority, whichever is appropriate, shall hold an administrative hearing to consider the imposition of administrative sanctions as provided by law against said physician, osteopath, chiropractor, or other practitioner.

2. Any attorney who knowingly and willfully assists, conspires with, or urges any claimant to fraudulently violate any of the provisions of this chapter, or any person who, due to such assistance, conspiracy, or urging on such attorney's part, knowingly and willfully benefits from the proceeds derived from the use of such fraud, is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3. No person or governmental unit licensed under chapter 395 to maintain or operate a hospital, and no administrator

or employee of any such hospital, shall knowingly and willfully allow the use of the facilities of such hospital by an insured party in a scheme or conspiracy to fraudulently violate any of the provisions of this chapter. Any hospital administrator or employee who violates this subparagraph is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. Any adjudication of guilt for a violation of this subparagraph, or the use of business practices demonstrating a pattern indicating that the spirit of the law set forth in this act is not being followed, shall be grounds for suspension or revocation of the license to operate the hospital or the imposition of an administrative penalty of up to \$5,000 by the licensing agency as set forth in chapter 395.

(c) Any person damaged as a result of a violation of any provision of this subsection where there has been a criminal adjudication of guilt shall have a cause of action to recover compensatory damages, plus all reasonable investigation and litigation expenses including attorneys' fees at the trial and appellate courts.

(d) For the purposes of this subsection, the term "statement" includes, but is not limited to, any notice, statement, proof of injury, bill for services, diagnosis, prescription, hospital or doctor records, x-ray, test result, or other evidence of loss, injury, or expense.

(e) The provisions of this subsection shall also apply as to any employer insurer, adjusting firm, or agent or representative thereof who intentionally injures, defrauds, or deceives any claimant with regard to any claim. Such claimant shall have the right to recover the damages provided in this subsection.

(f) It is unlawful for any attorney or other person, in his individual capacity or in his capacity as a public or private employee, or for any firm, corporation, partnership, or association to unlawfully solicit any business in and about city or county hospitals, courts, or any public institution or public place, in and about private hospitals or sanitariums, or in and about any private institution or upon private property of any character whatsoever for the purpose of making workmen's compensation claims. Any person who violates the provisions of this paragraph is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. Whenever any circuit or special grievance committee acting under the jurisdiction of the Supreme Court finds probable cause to believe that an attorney is guilty of a violation of this section, such committee shall forward to the appropriate state attorney a copy of the findings of probable cause and a copy of the report being filed in the matter.

Section 12. Section 440.442, Florida Statutes, is created to read:

440.442 Code of conduct.—Industrial relations commissioners and judges of industrial claims shall observe and abide by the code of judicial conduct adopted by the Supreme Court as of the effective date of this act as well as all amendments thereto that are hereafter adopted by the court. Any material violation of a canon of the code of judicial conduct shall constitute either malfeasance or misfeasance in office and shall be grounds for suspension and removal of such commissioner or judge pursuant to the provisions of s. 7, Art. IV of the State Constitution, and all general laws implementing that provision.

Section 13. Subsection (1) of section 440.45, Florida Statutes, is amended to read:

440.45 Judges of industrial claims.—

(1) The Governor shall appoint as many full-time judges of industrial claims as may be necessary to effectually perform the duties prescribed for them under this chapter. The Governor shall initially appoint a judge from a list of at least 3 persons nominated by the appellate district judicial nominating commission for the appellate district in which the judge will principally conduct hearings. No person shall be nominated or appointed as a full-time judge of industrial claims who has not had 3 years' experience in the practice of law in this state; and no judge of industrial claims during a term of office shall engage in the private practice of law. The Governor may appoint any former judge of industrial claims to serve as a judge of industrial claims pro hac vice to complete the proceedings on any claim with respect to which the judge had heard testimony and which remained pending at the time of the expiration of the judge's term of office. However, no former judge of in-

dustrial claims shall be appointed to serve as a judge of industrial claims pro hac vice for a period to exceed 60 successive days.

Section 14. Subsections (1) and (2) of section 440.49, Florida Statutes, are amended to read:

440.49 Rehabilitation of injured employees; Special Disability Trust Fund.—

(1) In cases in which it appears that disability probably will be permanent, the division shall assist injured employees to obtain appropriate training, education and employment and may cooperate with federal and state agencies for vocational education and with any public or private agency cooperating with such federal or state agencies in the vocational rehabilitation of injured employees. The division may, and it is authorized to, expend moneys from the special fund established by s. 440.50, for the purpose of assisting such injured employees to obtain appropriate training, education and employment in connection with their vocational rehabilitation. Such expenditures shall only be made in accordance with rules promulgated by the division establishing standards for eligibility and types, duration, and cost of training and educational programs to be made available. All hearings arising under this subsection shall be conducted by judges of industrial claims pursuant to s. 440.25. However, no judge of industrial claims shall assume jurisdiction to approve or disapprove rehabilitation under this provision until the division has been given reasonable time to evaluate the injured worker and advise all parties as to the rehabilitation program it may propose if said rehabilitation program is to be funded out of the fund established by s. 440.50. The division shall be a party to all hearings involving any claims made against the fund established by s. 440.50. *Hearings conducted under this subsection which are not determined within 30 days of hearing or within 180 days of filing of an application for review shall file a special report to the Bureau of Workmen's Compensation as required under s. 440.25.*

(2) Whenever the division determines that there is a reasonable probability that with appropriate training or education a person entitled to compensation for total or partial disability which is or is likely to be permanent may be rehabilitated to the extent that such person will require less care and attendance or to the extent that such person can become gainfully employed or increase earning capacity and that it is for the best interests of such person to undertake such training or education, if the injured employee without reasonable cause refuses to undertake the training or educational program determined by the division to be suitable, the judge of industrial claims *shall may in the judge's discretion* suspend, reduce, or limit the compensation otherwise payable to such person under this chapter, *by not less than 50 percent*, any provisions of this chapter to the contrary notwithstanding.

Section 15. Subsection (7) of section 443.12, Florida Statutes, is amended to read:

443.12 Division and board; powers, duties, etc.; rules and regulations; personnel; advisory councils; records and reports; cooperation, etc.—

(7) RECORDS AND REPORTS.—Each employing unit shall keep true and accurate work records, containing such information as the [division] may prescribe. Such records shall be open to inspection and be subject to being copied by the division at any reasonable time and as often as may be necessary. The division or an appeals referee may require from any employing unit any sworn or unsworn reports, with respect to persons employed by it, deemed necessary for the effective administration of this chapter. Information thus obtained, or obtained from any individual pursuant to the administration of this chapter, shall, except to the extent necessary for the proper presentation of a claim *or upon written authorization of the claimant who has a workmen's compensation claim pending*, be held confidential and shall not be published or be open to public inspection (other than to public employees in the performance of their public duties), in any manner revealing the individual's or employing unit's identity, but any claimant (or his legal representative) at a hearing before an appeals referee or the [board] shall be supplied with information from such records to the extent necessary for the proper presentation of his claim. Any employee or member of the [board] or any employee of the division who violates any provision of this subsection shall

be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. Provided, however, the division may furnish to any employer copies of any report previously submitted by such employer, upon the request of such employer, and the division is authorized to charge therefor such reasonable fee as the [division] may by regulations prescribe not to exceed the actual reasonable cost of the preparation of such copies. Fees received by the division for copies as herein provided shall be deposited to the credit of the Employment Security Administration Trust Fund.

Section 16. Section 624.433, Florida Statutes, is created to read:

624.433 Reports of information by workmen's compensation insurers required.

(1) Any insurer authorized to write a policy of workers' compensation insurance shall transmit the following information to the department each year in the annual report of such insurer, such information shall be broken down by its nationwide and Florida insurance writings:

- (a) Direct premiums written;
- (b) Direct premiums earned;
- (c) Dividends paid or credited to policyholders;
- (d) Losses paid;
- (e) Allocated loss adjustment expense;
- (f) The ratio of allocated loss adjustment expense to losses paid;
- (g) Unallocated loss adjustment expense;
- (h) The ratio of unallocated loss adjustment expense to losses paid;
- (i) The total of losses paid and unallocated and allocated loss adjustment expenses;
- (j) The ratio of losses paid and unallocated and allocated loss adjustment expenses to premiums earned;
- (k) The number of claims outstanding as of December 31 of each year;
- (l) The total amount of losses unpaid as of December 31 of each year;
- (m) The total amount of allocated and unallocated loss adjustment expenses unpaid as of December 31 of each year; and
- (n) The total of losses paid and allocated loss adjustment expenses and unallocated loss adjustment expenses, plus the total of losses unpaid as of December 31 each year and loss adjustment expenses unpaid as of December 31 each year.

(2) The department shall provide a summary of information provided pursuant to subsection (1) in its annual report.

(3) The first report of this information shall include the information for the year ending December 31, 1979. Such report shall be filed no later than March 31, 1980. Beginning with the report for the period ending December 31, 1981, all future reports shall have all information required by subsection (1) broken down by year for the current and 2 previous years.

Section 17. Within 30 days after January 1, 1981, the Department of Insurance shall commence a review of the rates of all workmen's compensation insurers in effect at the time. If, after the review, the department finds on a preliminary basis that the rate may be excessive, inadequate or unfairly discriminatory, the department shall so notify the insurer. Upon being so notified, the insurer shall within 60 days file with the department all information which the insurer believes proves the reasonableness, adequacy, and fairness of the rate. In such instances, the insurer shall carry the burden of proof. In the event the department finds that a rate is excessive, inadequate or unfairly discriminatory, the department may order that a new rate schedule be thereafter filed by the insurer and further specifying the manner in which noncompliance shall be corrected.

Section 18. If any provision of this act or the application thereof to any person or circumstance is held invalid, the in-

validity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 19. This act shall take effect July 1, 1978.

Senator Dunn moved the following amendment to Amendment 1 which failed:

Amendment 1A—On page 4, lines 16-18, page 6, lines 1-33 page 7, lines 1-14 reinstate stricken language and on page 4, lines 20-27 page 5, lines 1-22 delete underscored language

The President presiding

Senators Williamson and Ware offered the following amendment to Amendment 1 which was moved by Senator Williamson and adopted:

Amendment 1B—On page 7, line 9, reinsert deleted language on lines 9 through 14.

Reletter subsequent subsections.

Senators Johnston, Scarborough, Ware and Dunn offered the following amendment to Amendment 1 which was moved by Senator Johnston and failed:

Amendment 1C—On page 18, lines 8-25, strike all of said lines

Senators Dunn and Scott offered the following amendment to Amendment 1 which was moved by Senator Dunn:

Amendment 1D—On page 19, lines 12-17, strike all underscored language and insert: Notwithstanding any other provisions of this chapter, attorneys fees shall be awarded to the prevailing party, and the judge of industrial claims shall determine which party is the prevailing party.

Senator Scott moved the following substitute amendment for Amendment 1D which failed:

Amendment 1 for Amendment 1D—On page 19, lines 12-17, strike all of lines 12 through 17 inclusive and insert: lump sum.

Amendment 1D failed.

Senator Firestone moved the following amendment to Amendment 1 which was adopted:

Amendment 1E—On page 30, line 22, insert: Section . A new section is created to read: Any insurer or insurance holding company or a subsidiary of either which offers to secure employment or help, or gives information as to where employment or help may be secured and performs such acts exclusively in conjunction with its efforts to rehabilitate injured or disabled individuals shall be exempt from the provisions of chapter 449, Florida Statutes, relating to private employment agencies.

On motion by Senator Ware, the Senate reconsidered the vote by which Amendment 1C failed. Amendment 1C was adopted.

Senators MacKay and Zinkil offered the following amendment to Amendment 1 which was moved by Senator MacKay and adopted:

Amendment 1F—On page 30, strike line 22 and insert: Section 19. The foregoing sections represent the first phase of needed reform of the workmen's compensation law. Further reform, which will involve the replacement or revision of that part of the law which provides compensation and other assistance for workers with a compensable, permanent partial disability, should be undertaken at such time as the proposals for such revision have been refined and data as to cost and other effects have been fully developed. Accordingly, the presiding officer of each house of the legislature shall, at the organizational session in November 1978, designate a standing committee of substance, or appoint a select committee, to receive reports, recommendations and supporting cost data from state officers and others with experience in the workmen's compensation system who have prepared reliable data as to the effects of the proposals on injured workers, employers and other mem-

bers of the public. The committees so designated or appointed shall prepare recommendations and present them to their respective houses on the day the 1979 session convenes. In recognition of the seriousness of the existing problems in the system and the urgent need for major reform, the second phase of the revision effort shall be assigned a high priority and considered by the legislature in the early days of the 1979 regular session.

Section 440.15 is repealed as of July 1, 1979.

Section 20. This act shall take effect July 1, 1978, and shall apply to all claims arising after July 1, 1978.

Senator Holloway moved the following amendment to Amendment 1 which was adopted:

Amendment 1G—On page 31, between lines 15 and 16 insert: Section 18. Present subsection (4) of section 627.091, Florida Statutes, is renumbered as subsection (5), and a new subsection (4) is added to said section to read:

627.091 Rate filings; workmen's compensation and employer's liability insurance.—

(4) *The basis of premium included for rate-making purposes shall be a maximum of \$200 per person per week.*

Section 19. Subsection (1) of section 627.151, Florida Statutes, is amended to read:

627.151 Basis of approval or disapproval of workmen's compensation or employer's liability insurances filing; scope of disapproval power.—

(1) In determining at any time whether to approve or disapprove a filing as to workmen's compensation or employer's liability insurances, or to permit the filing otherwise to become effective, the department shall give consideration only to the applicable standards and factors referred to in ss. 627.062, and 627.072, and 627.091(4).

[Renumber subsequent sections]

Amendment 1 as amended was adopted.

Senators McClain and MacKay offered the following amendment which was moved by Senator McClain and adopted:

Amendment 2—In title, on page 1, lines 6, 7 and 8 strike: "physical impairment and to include diminution of wage-earning capacity;" and insert: bodily disability rating and wage-earning loss; on page 2, between lines 23 and 24, insert: specifying that a portion of the attorney's fees are payable by employer or carrier under certain circumstances;

Senator Firestone moved the following amendment which was adopted:

Amendment 3—On page 3, line 30 after "severability;" insert: exempting certain insurers from chapter 449, Florida Statutes;

Senator Holloway moved the following amendment which was adopted:

Amendment 4—On page 3 in title, line 29, after the semicolon insert: renumbering s. 627.091(4), Florida Statutes, and adding a new subsection (4) to said section; providing a maximum basis of premium included for rate-making purposes; amending s. 627.151(1), Florida Statutes; providing that such maximum basis of premium for rate-making purposes shall be given consideration by the Department of Insurance in determining whether to approve or otherwise permit to become effective a filing as to workmen's compensation or employer's liability insurance;

Senators McClain and MacKay offered the following amendment which was moved by Senator McClain and adopted:

Amendment 5—On page 2 in title, strike everything after the semicolon on line 17 through the semicolon on line 20

On motion by Senator McClain, by two-thirds vote CS for SB 636 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gorman	Peterson	Thomas, Pat
Barron	Graham	Plante	Tobiassen
Castor	Hair	Poston	Trask
Chamberlin	Henderson	Renick	Vogt
Childers, Don	Holloway	Saylor	Williamson
Childers, W. D.	Johnston	Scarborough	Winn
Dunn	Lewis	Scott	Zinkil
Firestone	MacKay	Skinner	
Gallen	McClain	Spicola	
Glisson	Myers	Thomas, Jon	

Nays—1

Wilson

Votes after roll call:

Yea—Ware

Yea to Nay—Scott

On motion by Senator Zinkil, the rules were waived and CS for SB 636 after being engrossed was ordered immediately certified to the House.

HB 624—A bill to be entitled An act relating to search warrants; adding subsection (8) to s. 933.18, Florida Statutes; providing for issuance of a warrant to search a private dwelling if it is being used for the unlawful sale, possession or purchase of wildlife or freshwater fish; providing an effective date.

—was read the second time by title. On motion by Senator Dunn, by two-thirds vote HB 624 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Gordon	Plante	Thomas, Pat
Castor	Gorman	Poston	Tobiassen
Chamberlin	Graham	Renick	Trask
Childers, Don	Hair	Saylor	Vogt
Childers, W. D.	Holloway	Scarborough	Ware
Dunn	Johnston	Scott	Williamson
Firestone	MacKay	Skinner	Wilson
Gallen	Myers	Spicola	Winn
Glisson	Peterson	Thomas, Jon	Zinkil

Nays—1

Barron

The Senate resumed consideration of—

CS for HB 307—A bill to be entitled An act relating to condominiums; adding new paragraphs to s. 718.112(2), Florida Statutes, and amending subsection (3), providing that condominium association bylaws must require that all officers of certain associations shall be bonded and that the association shall bear the cost of bonding; requiring that such bylaws include proposed annual budget information; amending s. 718.111(1), Florida Statutes, and adding subsections (11), (12) and (13) thereto, exempting certain associations from the requirement of being incorporated; providing that notwithstanding any provision in chapter 718, Florida Statutes, an association under certain conditions may operate a group of residential condominiums as though they were a single condominium for purposes of financial matters and that common expenses for a group of residential condominiums operated by a single association may be assessed against all unit owners; requiring that certain amendments to a declaration of condominium be by secret ballot; authorizing condominium associations to purchase land and/or recreation leases; amending s. 718.203(6), Florida Statutes, providing that an insured warranty program of no less than 10 years duration which covers a residential condominium shall remain in effect for the remaining portion of said 10 year period; providing that the insuring company is required to meet any obligations of this section; providing an effective date.

Senator Henderson moved the following amendment which was adopted:

Amendment 1—On page 4, between lines 29 and 30, insert: Section 4. Paragraph (a) of subsection (3) of section 718.501, Florida Statutes, is amended to read:

718.501 Regulation by Division of Florida Land Sales and Condominiums.—

(3)(a) Each condominium association shall pay to the division, on or before January 1 of each year, an annual fee in the amount of 50 cents \$1 for each residential unit in condominiums operated by the association. If the fee is not paid by June 1, then the association shall be assessed a penalty of 10 percent of the amount due, and the association shall not have standing to maintain or defend any action in the courts of Florida until the amount due plus any penalty is paid.

Section 5. Section 718.3025, Florida Statutes, is created to read:

718.3025 Agreements for operation, maintenance, or management of condominiums; specific requirements.—

(1) No written contract between a developer or party contracting to provide maintenance or management services and an association prior to assumption of control of the association by unit owners other than the developer, by the developer or party contracting to provide maintenance or management services, or by the association after the assumption of control by unit owners other than the developer, which provides for operation, maintenance, or management of a condominium association or property serving the unit owners of a condominium shall be valid or enforceable unless the contract:

(a) Specifies the services, obligations, and responsibilities of the developer or party contracting to provide maintenance or management services to the unit owners.

(b) Specifies the amount of money to be paid for each service, obligation, or responsibility to be performed by the party contracting to provide maintenance or management services and a time schedule indicating how often the service, obligation, or responsibility is to be performed, whether this be daily, weekly, monthly, or at some other regularly scheduled interval.

(c) Specifies a minimum number of personnel to be employed by the party contracting to provide maintenance or management services for the purpose of providing service to the association.

(2) In any case in which the party contracting to provide maintenance or management services fails to provide such services in accordance with the time schedule set forth in the contract, the association is authorized to procure such services from some other party and shall be entitled to collect any fees or charges paid for service performed by another party from the party contracting to provide maintenance or management services.

(3) Any services or obligations not stated on the face of the contract shall be unenforceable.

Section 7. Subsection (4) of section 718.401, Florida Statutes, is amended to read:

718.401 Leaseholds.—A condominium may be created on lands held by a developer under lease or may include recreational facilities or other common elements or commonly used facilities on a leasehold, if, on the date the first unit is conveyed by the developer to a bona fide purchaser, the lease has an unexpired term of at least 50 years. If rent under the lease is payable by the association or by the unit owners, the lease shall include the following requirements:

(4) In any action by the lessor to enforce a lien for rent payable or in any action by the association or a unit owner with respect to the obligations of the lessee or the lessor under the lease, the unit owner may raise any issue or interpose any defenses, legal or equitable, that he may have with respect to the lessor's obligations under the lease. If the unit owner initiates any action or interposes any defense other than payment of rent under the lease, the unit owner or the association shall pay into the registry of the court any allegedly accrued rent and the rent which accrues during the pendency of the proceeding, when due. If the unit owner fails to pay the rent into the registry of the court, it shall constitute an absolute waiver of the unit owner's defenses other than payment, and the lessor shall be entitled to default. When the unit owner has deposited the required funds into the registry of the court, the lessor may apply to the court for disbursement

for all or part of the funds shown to be necessary for the payment of taxes, mortgage payments, maintenance and operating expenses, and other necessary expenses incident to maintaining and equipping the leased facilities. The court, after preliminary hearing, may award all or part of the funds on deposit to the lessor for such purpose. *The court shall require the lessor to post bond or other security, as a condition to the release of funds from the registry, when the value of the leased land and improvements, apart from the lease itself, is inadequate to fully secure the sum of existing encumbrances on the leased property and the amounts released from the court registry.*

(Renumber subsequent section)

Senator Firestone moved the following amendment which was adopted:

Amendment 2—On page 4, between lines 29 and 30 insert: Section 7. Paragraph (e) of subsection (4) of section 718.104, Florida Statutes, is amended to read:

718.104 Creation of condominiums; contents of declaration.—Every condominium created in Florida shall be created pursuant to this chapter.

(4) The declaration must contain or provide for the following matters:

(e) A survey of the land and a graphic description of the improvements in which units are located and a plot plan thereof ~~that which~~, together with the declaration, are in sufficient detail to identify the common elements and each unit and their relative locations and approximate dimensions. The survey, graphic description, and plot plan may be in the form of exhibits consisting of building plans, floor plans, maps, surveys, or sketches. If the construction of the condominium is not substantially completed, ~~then~~ there shall be a statement to that effect, and, upon substantial completion of construction, ~~the developer or the association shall, in order to have a validly created condominium for conveyancing purposes, amend the declaration to include the certificate described below. The amendment may be accomplished by referring to the recording data of a survey of the condominium that complies with the certificate. There shall be included or attached to the declaration~~ a certificate of a surveyor authorized to practice in this state shall be included in or attached to the declaration or the survey or graphic description as recorded under s. 718.105 that the construction of the improvements is substantially complete so that the material, together with the provisions of the declaration describing the condominium property, is an accurate representation of the location and dimensions of the improvements, and that the identification, location, and dimensions of the common elements and of each unit can be determined from these materials.

Section 8. Subsection (4) is added to section 718.105, Florida Statutes, to read:

718.105 Recording of declaration.—

(4) *If the declaration or the survey or graphic description of the improvements required under s. 718.104(4)(e) does not have the certificate required, the developer shall deliver to the clerk an estimate of the cost of a final survey or graphic description containing and complying with the certificate prescribed by s. 718.104(e) and shall deposit with the clerk the sum of money specified in the estimate. The clerk shall hold the money until an amendment to the declaration is recorded that complies with the certificate requirements of s. 718.104(e). At that time the clerk shall pay to the developer or the association presenting the amendment to the declaration sum of money deposited with him without making any charge for holding the sum, receiving it or paying out other than the fees required for recording the condominium documents.*

Section 9. Section 718.124, Florida Statutes, is created to read:

718.124 Attorney's fees.—If a contract or lease between a condominium unit owner or association and a developer contains a provision allowing attorney's fees to the developer, should any litigation arise under the provisions of the contract or lease, the court shall also allow reasonable attorney's fees to the unit owner or association when the unit owner or association prevails in any action by or against the unit owner or association with respect to the contract or lease.

Section 10. Section 719.111, Florida Statutes, is created to read:

719.111 Attorney's fees.—If a contract or lease between a cooperative unit owner or association and a developer contains a provision allowing attorney's fees to the developer, should any litigation arise under the provisions of the contract or lease, the court shall also allow reasonable attorney's fees to the unit owner or association when the unit owner or association prevails in any action by or against the unit owner or association with respect to the contract or lease.

Section 11. This act shall apply to all contracts in effect on the effective date of this act and to all contracts entered into after the effective date of this act.

Section 12. Subsection (2) of section 718.501, Florida Statutes, is amended to read:

718.501 Regulation by Division of Florida Land Sales and Condominiums.—

(2) There is hereby created an advisory board to advise the division in carrying out its duties, to be composed of seven members, of which three members shall be citizens from the condominium development industry, two members shall be nondeveloper unit owners who are association board members, and two members shall be nondeveloper unit owners who are not association officers or board members. Members of the advisory board shall be appointed by the chairman of the Board of Business Regulation to serve at his pleasure ~~and shall be confirmed by the Senate~~. The advisory board shall assist and advise the division in residential condominium problems and, when possible, shall arbitrate controversies between unit owners and their associations. *At the discretion of the board, and arbitrating controversies between unit owners and their associations, the board is authorized to utilize hearing officers as described in s. 120.65. The proceedings shall be conducted in accordance with chapter 120. Neither the findings of fact nor the conclusions of law, administrative rulings or orders of the hearing officer or the commission shall be binding upon the parties unless agreed to by the parties, in writing, at the time of the hearing; and all proceedings in the courts of this state involving the same parties or any of them and the arbitrated disputes shall commence and proceed de novo. The proceedings shall not be transcribed by a court reporter unless provided by the affected parties at their own expense. The board may reject or modify the conclusion of law and interpretation of administrative rules submitted by the hearing officer, but may not reject the findings of fact unless the board first determines from a review of the complete record that the findings of fact were not based upon competent substantial evidence or that the proceedings upon which the findings were based did not comply with essential requirements of law.*

(Renumber subsequent section)

Senator Gallen moved the following amendment which was adopted:

Amendment 3—On page 4, between lines 29 and 30 insert: Section 4. Paragraph (e) of subsection (4) of section 718.104, Florida Statutes, is amended to read:

718.104 Creation of condominiums; contents of declaration.—Every condominium created in Florida shall be created pursuant to this chapter.

(4) The declaration must contain or provide for the following matters:

(e) A survey of the land and a graphic description of the improvements in which units are located and a plot plan thereof ~~that which~~, together with the declaration, are in sufficient detail to identify the common elements and each unit and their relative locations and approximate dimensions. The survey, graphic description, and plot plan may be in the form of exhibits consisting of building plans, floor plans, maps, surveys, or sketches. If the construction of the condominium is not substantially completed, ~~then~~ there shall be a statement to that effect, and, upon substantial completion of construction, the developer or the association shall, ~~in order to have a validly created condominium for conveyancing purposes, amend the declaration to include the certificate described below. The amendment may be accomplished by referring to the recording data of a survey of the condominium that complies with the certificate. There shall be included or attached to the~~

declaration A certificate of a surveyor authorized to practice in this state shall be included in or attached to the declaration or the survey or graphic description as recorded under s. 718.105 that the construction of the improvements is substantially complete so that the material, together with the provisions of the declaration describing the condominium property, is an accurate representation of the location and dimensions of the improvements, and that the identification, location, and dimensions of the common elements and of each unit can be determined from these materials.

Section 5. Subsection (4) is added to section 718.105, Florida Statutes, to read:

718.105 Recording of declaration.—

(4) If the declaration or the survey or graphic description of the improvements required under s. 718.104(4)(e) does not have the certificate required, the developer shall deliver to the clerk an estimate of the costs of a final survey or graphic description containing and complying with the certificate prescribed by s. 718.104(4)(e) and shall deposit with the clerk the sum of money specified in the estimate. The clerk shall hold the money until an amendment to the declaration is recorded that complies with the certificate requirements of s. 718.104(4)(e). At that time the clerk shall pay to the developer or the association presenting the amendment to the declaration a sum of money deposited with him without making any charge for holding the sum, receiving it or paying out other than the fees required for recording the condominium documents.

(Renumber subsequent sections)

Senator Zinkil moved the following amendment which was adopted:

Amendment 4—On page 2, line 22, strike "100" and insert: 50 (fifty)

Senator Plante moved the following amendment which was adopted:

Amendment 5—On page 4, between lines 29 and 30 insert: Section 13. Subparagraph (b) is added to subsection (8) of section 718.401, Florida Statutes, to read:

718.401 Leaseholds

(8)

(b) The provisions of this subsection shall not apply to gross lease, or if the lessor is the Government of the United States or the State of Florida or any political subdivision thereof or any agency of any political subdivision thereof, or in the case of an underlying land lease, a person or entity which is not the developer or directly or indirectly owned or controlled by the developer and did not obtain, directly or indirectly, ownership of the leased property from the developer.

(And renumber subsequent sections)

Senator Don Childers moved the following amendment which was adopted:

Amendment 6—On page 3, strike all of lines 18 through 20 inclusive and insert: association may operate residential condominiums in a phase project initially created pursuant to former s. 711.64,

Senator Henderson moved the following amendment which was adopted:

Amendment 7—On page 2 in title, line 2 after the semicolon insert: amending s. 718.501(3)(a), Florida Statutes, lowering the annual fee each condominium association must pay to the Division of Florida Land Sales and Condominiums of the Department of Business Regulation; creating s. 718.3025, Florida Statutes, requiring written contracts for the operation, maintenance, or management of a condominium association or condominium property to clearly state the duties and responsibilities of the developer so contracting in order to be enforceable; requiring the contract to contain a time schedule for the provision of services and a fee schedule with respect to each service; requiring the contract to specify minimum number of personnel to be employed to provide services; authorizing the association to

procure outside services under certain circumstances; providing that the court shall require a lessor to post bond or other security in certain situations as a condition to the release of rent moneys which have been paid into the court registry;

Senator Firestone moved the following amendment which was adopted:

Amendment 8—On page 2 in title, line 2, after the semicolon insert: amending s. 718.104(4)(e), Florida Statutes, relating to certain amendments to declarations of condominium; adding subsection (4) to s. 718.105, Florida Statutes, requiring condominium developers to deliver certain documents or funds to the clerk with respect to certain declarations of condominium; creating ss. 718.124 and 719.111, Florida Statutes, providing that condominium and cooperative apartment unit owners or associations shall be entitled to reasonable attorney's fees in actions which result from certain contracts or leases between the unit owners or association and developers when the unit owners or the association prevails in such actions; providing for applicability; amending s. 718.501 (3)(a), Florida Statutes, lowering the annual fee each condominium association must pay to the Division of Florida Land Sales and Condominiums of the Department of Business Regulation; amending s. 718.501(2), Florida Statutes, authorizing the advisory board of the division to utilize hearing officers with respect to controversies between condominium unit owners and their associations; providing that the proceedings shall be conducted in accordance with chapter 120, Florida Statutes; providing the proceedings shall not be transcribed by a court reporter unless provided by the affected parties at their own expense; authorizing the board to disregard the hearing officer's findings under certain circumstances;

Senator Gallen moved the following amendment which was adopted:

Amendment 9—On page 2 in title, line 2, after the semicolon ";," insert: amending s. 718.104(4)(e), Florida Statutes; deleting the requirement that a condominium declaration be amended in certain situations in order for the condominium to be validly created for conveyancing purposes; authorizes the accomplishment of such amendment by reference to certain data; requires the inclusion or attachment of a surveyor's certificate; adding s. 718.105(4), Florida Statutes; provides procedure in the event that the condominium declaration or graphic description of improvements does not include the required certificate;

Senator Plante moved the following amendment which was adopted:

Amendment 10—On page 2 in title, line 2, after the semicolon: insert: adding subparagraph (b) of subsection (8) of s. 718.401(8), Florida Statutes, providing an exception for gross leases for certain governmental lessors, and with respect to underlying land leases, certain other lessors;

On motion by Senator Don Childers, by two-thirds vote CS for HB 307 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Thomas, Pat
Barron	Gorman	Plante	Tobiassen
Castor	Graham	Poston	Trask
Chamberlin	Hair	Renick	Vogt
Childers, Don	Henderson	Sayler	Ware
Childers, W. D.	Holloway	Scarborough	Wilson
Dunn	Johnston	Scott	Winn
Firestone	Lewis	Skinner	Zinkil
Gallen	McClain	Spicola	
Glisson	Myers	Thomas, Jon	

Nays—None

Vote after roll call:

Yea—Williamson

SB 915 was laid on the table.

SB 798—A bill to be entitled An act relating to medical assistance for needy persons; adding s. 409.266(3), Florida Statutes; requiring the Department of Health and Rehabilitative Services to provide the services of a certified nurse midwife to certain persons; providing an effective date.

—was read the second time by title.

The Committee on Appropriations offered the following amendment which was moved by Senator Gordon and adopted:

Amendment 1—On page 1, line 22, strike all language and insert: *(a) Third party coverage for medical services shall be primary coverage and shall be exhausted before any payment authorized under this section shall be made on the behalf of any person eligible for services under this section.*

(b) A public assistance applicant or recipient shall inform the department of any rights he has to third party payments for medical services. The department shall automatically be subrogated to any such rights the recipient has to third party payments and shall recover to the fullest extent possible the amount of all medical assistance payments made on the behalf of the recipient. Recovery of such payments shall be collected directly from:

1. Any third party liable to make a medical benefit payment to the provider of the recipient's medical services or to the recipient under the terms of any contract, settlement, or award; or

2. The recipient, if he has received third party payment for medical services provided to him.

(c) In recovering any payments in accordance with this subsection, the department is authorized to make appropriate settlements.

(d) The department shall adopt rules to implement the provisions of this subsection.

Section 2. This act shall take effect July 1, 1978.

On motion by Senator Gordon, by two-thirds vote SB 798 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

Mr. President	Gordon	Myers	Thomas, Jon
Barron	Gorman	Peterson	Thomas, Pat
Castor	Graham	Plante	Tobiassen
Chamberlin	Hair	Poston	Trask
Childers, Don	Henderson	Renick	Vogt
Childers, W. D.	Holloway	Saylor	Ware
Dunn	Johnston	Scarborough	Wilson
Firestone	Lewis	Scott	Winn
Gallen	MacKay	Skinner	Zinkil
Glisson	McClain	Spicola	

Nays—None

Vote after roll call:

Yea—Williamson

By the Committee on Economic, Community and Consumer Affairs and Senator Pat Thomas—

CS for SB 456—A bill to be entitled An act relating to the Florida Uniform Land Sales Practices Law; amending s. 478.021(2)(j), Florida Statutes, and adding a new paragraph to said subsection; defining "sign"; defining "conviction"; amending s. 478.041(3), Florida Statutes, and adding a new subsection to said section; defining duties and powers of receivers; providing authority to fingerprint subdividers and exchange information with certain law enforcement agencies; providing an exception; amending s. 478.052, Florida Statutes, clarifying the language of said section; repealing the savings clause; requiring quarterly report even if there is no encumbrance on subdivided land; deleting certain requirements concerning encumbering instruments and quarterly reports; amending s. 478.121(8), Florida Statutes; permitting only certified public accountants registered in the state to audit financial statements submitted to the division; permitting the division to waive filing of audited financial statements under certain conditions;

amending s. 478.131(1), (2), (4), Florida Statutes, and adding subsections (5) and (6) to said section; increasing fees for registration of subdivided lands and for renewals; requiring and increasing exemption fees; providing fees for material changes in registration; providing fees for release of assurances; amending the introductory paragraph and s. 478.141(4)-(6), Florida Statutes; providing for registration requirements, providing for disqualifying convictions and waiver thereof; adding s. 478.151(5), Florida Statutes; providing procedures for furnishing registrants' records maintained outside of the state; amending s. 478.221, Florida Statutes; repealing the exemption for court ordered sales; clarifying the exemption provisions; extending to offerings of certain homesites an exemption from requirements for maintenance of clear title; requiring accessibility of offerings; providing for exemption from registration for certain homesite developers; requiring fee to accompany exemption advisory request; requiring listing of states or foreign countries in which promotional materials are directed in request for advisory opinion; providing an effective date.

—was read the first time by title and SB 456 was laid on the table.

On motion by Senator Pat Thomas, by two-thirds vote CS for SB 456 was read the second time by title.

The Committee on Appropriations offered the following amendments which were moved by Senator Pat Thomas and adopted:

Amendment 1—On page 14, line 4, after the word "has" insert: *voluntarily*

Amendment 2—On page 17, line 14, after the word "has" insert: *voluntarily*

Amendment 3—On page 18, line 26, after the word "body's" insert: *voluntary*

Senator Pat Thomas moved the following amendments which were adopted:

Amendment 4—On page 8, line 23, strike after the word in "the state" and insert: *a state of the United States*

Amendment 5—On page 12, line 30, strike after the word "to": ~~10~~ and insert: *45*

Amendment 6—On page 13, line 29, insert: after the word to: *(a)*

Amendment 7—On page 14, lines 1, 6, 10, 11, 14, strike ~~(a)1.~~ ~~(b)2.~~ ~~(c)3.~~ ~~(d)4.~~ ~~(e)5.~~ and insert 1. on line 1.

2. on line 6

3. on line 10

4. on line 11

5. on line 14

(b) Offers or dispositions of lots contained in a subdivision plat that has been recorded or accepted for recordation by the board of county commissioners where:

1. Each lot is situated on a road dedicated or approved by the board of county commissioners;

2. All promised improvements are complete;

3. The promotional plan of sale is directed only to bona fide residents of Florida whose primary residence is or will be located in the county in which the lots are platted of record;

4. The subdivider is prepared to convey title by general warranty deed unencumbered by any mortgages or other liens when the method of sale is by cash or deed and first mortgage; and

5. The purchaser has personally inspected the property to be purchased prior to the execution of an agreement or contract to purchase and has so certified in writing.

Senators W. D. Childers and Gallen offered the following amendment which was moved by Senator Gallen and adopted:

Amendment 8—On page 19, strike all of lines 1-3 inclusive

On motion by Senator Pat Thomas, by two-thirds vote CS for SB 456 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

Barron	Gorman	Poston	Tobiassen
Castor	Graham	Renick	Trask
Chamberlin	Hair	Sayler	Vogt
Childers, Don	Henderson	Scarborough	Ware
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—1

Gordon

Votes after roll call:

Yeas—Peterson, Williamson

SB 1084 was taken up and on motion by Senator Henderson, the rules were waived and by two-thirds vote HB 29 was withdrawn from the Committee on Commerce. On motions by Senator Henderson—

HB 29—A bill to be entitled An act relating to professional optometric advertising; amending s. 463.14(1), Florida Statutes, amending s. 463.14(2), Florida Statutes; amending s. 463.11(2)(d), Florida Statutes; requiring the Florida State Board of Optometry to adopt rules regulating professional optometric advertising; providing an effective date.

—a companion measure, was substituted for SB 1084 and by two-thirds vote read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 29 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Barron	Gordon	Myers	Thomas, Jon
Castor	Gorman	Peterson	Thomas, Pat
Chamberlin	Graham	Poston	Tobiassen
Childers, Don	Hair	Renick	Trask
Childers, W. D.	Henderson	Sayler	Vogt
Dunn	Holloway	Scarborough	Ware
Firestone	Johnston	Scott	Winn
Gallen	MacKay	Skinner	Zinkil
Glisson	McClain	Spicola	

Nays—1

Wilson

Vote after roll call:

Yea—Williamson

SB 1084 was laid on the table.

SB 1074—A bill to be entitled An act relating to retired justices and judges; amending s. 25.073(3), Florida Statutes; increasing the maximum number of calendar days per year a retired justice or judge may serve on temporary assignment; providing an effective date.

—was read the second time by title. On motion by Senator Hair, by two-thirds vote SB 1074 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Glisson	Myers	Thomas, Jon
Barron	Gordon	Peterson	Thomas, Pat
Castor	Gorman	Poston	Tobiassen
Chamberlin	Graham	Renick	Trask
Childers, Don	Hair	Sayler	Vogt
Childers, W. D.	Henderson	Scarborough	Ware
Dunn	Johnston	Scott	Wilson
Firestone	MacKay	Skinner	Winn
Gallen	McClain	Spicola	Zinkil

Nays—None

Votes after roll call:

Yea—Williamson

SB 1080—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 570.23, Florida Statutes; increasing the membership of the State Agricultural Advisory Council by adding a member representing veterinarians; amending s. 570.38(1), Florida Statutes; providing that the veterinarian member of the State Agricultural Advisory Council serve as an additional member of the Animal Industry Technical Council; providing an effective date.

—was read the second time by title. On motion by Senator Skinner, by two-thirds vote SB 1080 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gordon	Myers	Thomas, Pat
Barron	Gorman	Peterson	Tobiassen
Castor	Graham	Renick	Trask
Chamberlin	Hair	Sayler	Vogt
Childers, Don	Henderson	Scarborough	Ware
Childers, W. D.	Holloway	Scott	Wilson
Firestone	Johnston	Skinner	Winn
Gallen	MacKay	Spicola	Zinkil
Glisson	McClain	Thomas, Jon	

Nays—None

Vote after roll call:

Yea—Williamson

SB 813—A bill to be entitled An act relating to probation and parole; amending s. 945.30(2), Florida Statutes; increasing the maximum amount paid by the Department of Offender Rehabilitation to certain entities for the cost of supervision or rehabilitation of certain probationers; providing an appropriation; providing an effective date.

—was read the second time by title. On motion by Senator Pat Thomas, by two-thirds vote SB 813 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Graham	Plante	Tobiassen
Barron	Hair	Poston	Trask
Castor	Henderson	Renick	Vogt
Childers, Don	Holloway	Sayler	Ware
Childers, W. D.	Johnston	Scarborough	Winn
Firestone	MacKay	Scott	Zinkil
Glisson	McClain	Skinner	
Gordon	Myers	Thomas, Jon	
Gorman	Peterson	Thomas, Pat	

Nays—1

Chamberlin

Vote after roll call:

Yea—Williamson

SB 874—A bill to be entitled An act relating to citrus; amending s. 601.15(7)(e), Florida Statutes, and adding s. 601.15(7)(f), Florida Statutes; requiring certain moneys in the

Florida Citrus Advertising Trust Fund to be used for commodity advertising, merchandising, publicity, or sales promotion of citrus fruits and products; allowing the Florida Citrus Commission to authorize, for a limited time, the use of a percentage of the moneys in such fund for noncommodity advertising of citrus fruits and products, including certain brand advertising rebate programs; providing an effective date.

—was read the second time by title.

Senator Plante moved the following amendment which was adopted:

Amendment 1—On page 2, line 21, before the word "citrus" insert: *Florida-grown*

The hour of adjournment having arrived, a point of order was called and the Senate recessed at 12:04 p.m. to reconvene at 2:00 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 2:00 p.m. A quorum present—37:

Mr. President	Gordon	Peterson	Trask
Barron	Gorman	Poston	Vogt
Castor	Graham	Renick	Ware
Chamberlin	Henderson	Sayler	Williamson
Childers, Don	Holloway	Scarborough	Wilson
Childers, W. D.	Johnston	Scott	Winn
Dunn	Lewis	Skinner	Zinkil
Firestone	MacKay	Thomas, Jon	
Gallen	McClain	Thomas, Pat	
Glisson	Myers	Tobiasen	

On motion by Senator W. D. Childers the rules were waived and the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with 5 amendments—

By Senator Barron—

SB 699—A bill to be entitled An act relating to prescription and administration of dimethyl sulfoxide (DMSO); prohibiting hospitals and health facilities from interfering with the physician-patient relationship by restricting use of dimethyl sulfoxide (DMSO); providing conditions; providing for written release; providing for disclosure by the physician; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 2, line 14, strike "that" and insert: if

Amendment 2—On page 2, line 16, insert before the period: for the disorder for which it is being prescribed

Amendment 3—On page 2, line 16, insert after the period: Section 5. This act shall not apply to conditions for which dimethyl-sulfoxide (DMSO) has been approved as a treatment by the Food and Drug Administration of the United States Department of Health, Education and Welfare.

(Renumber subsequent section)

Amendment 4—On page 2, line 17, strike "October 1, 1978" and insert: upon becoming law

Amendment 5—On page 1 in title, line 9, after "physician;" insert: providing an exception;

On motions by Senator Barron, the Senate concurred in the House amendments.

SB 699 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—32

Mr. President	Gallen	MacKay	Thomas, Pat
Barron	Gorman	Poston	Tobiasen
Castor	Graham	Renick	Trask
Chamberlin	Hair	Sayler	Vogt
Childers, Don	Henderson	Scarborough	Ware
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	Lewis	Thomas, Jon	Zinkil

Nays—1

Peterson

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with 4 amendments—

By the Committee on Commerce and Senator Scarborough—

SB 1070—A bill to be entitled An act relating to the Beverage Law; amending s. 562.11(1), Florida Statutes; providing a complete defense in a civil suit or suspension or revocation proceeding to a licensee who dispenses any alcoholic beverage to a minor if certain requirements are met; providing a savings clause; providing exception; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, lines 28 & 29, strike "or proceeding for the suspension or revocation of the license" and insert: , except for any administrative action by the Division under the Beverage Law

Amendment 2—On page 2, lines 1, 3, & 6, insert: (after the word "purchase" on each line) or consume

Amendment 3—On page 1 in title, lines 4 & 5, strike "or suspension or revocation proceeding" and insert: , except for any administrative action under the Beverage Law,

Amendment 4—On page 2, line 4, insert: (after "licensee") carefully checked the driver's license or other comparable identification of the minor and

On motions by Senator Scarborough, the Senate concurred in the House Amendments.

SB 1070 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—21

Mr. President	Henderson	Sayler	Trask
Barron	Holloway	Scarborough	Ware
Dunn	Lewis	Scott	Winn
Firestone	Myers	Skinner	
Gallen	Poston	Thomas, Jon	
Gorman	Renick	Tobiasen	

Nays—10

Castor	Graham	Peterson	Zinkil
Childers, Don	Johnston	Vogt	
Childers, W. D.	MacKay	Wilson	

Votes after roll call:

Nay—Spicola

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with 1 amendment—

By Senator Gallen—

SB 758—A bill to be entitled An act relating to the Beverage Law; amending s. 561.221, Florida Statutes; providing that a manufacturer of malt beverages or wine not be prohibited from obtaining up to two vendor's licenses for the sale of alcoholic beverages; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, line 1-7, strike all of said lines and insert: A bill to be entitled An act relating to the Beverage Law; amending s. 561.221, Florida Statutes; providing that a manufacturer of malt beverages or wine not be prohibited from obtaining up to two vendor's licenses for the sale of alcoholic beverages; providing an effective date.

On motion by Senator Scarborough, the Senate concurred in the House amendment.

SB 758 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—27

Mr. President	Graham	Poston	Tobiassen
Barron	Henderson	Renick	Trask
Childers, W. D.	Holloway	Scarborough	Vogt
Firestone	Johnston	Scott	Ware
Gallen	Lewis	Skinner	Williamson
Gordon	McClain	Thomas, Jon	Winn
Gorman	Myers	Thomas, Pat	

Nays—1

MacKay

Vote after roll call:

Yea—Spicola

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with 1 amendment—

By the Committee on Health and Rehabilitative Services and Senator Henderson—

CS for SB 215—A bill to be entitled An act relating to medical services for children; providing a short title; providing legislative intent; providing definitions; providing powers and duties of the Department of Health and Rehabilitative Services with regard to its programs of children's medical services; providing for designation of patient care centers for the provision of medical services; providing for employment of medical staff and other health professionals; providing for cooperative agreements with other state or local programs or institutions for children's medical services; providing for financial determination of ability to pay for medical services; providing qualifications of the staff director of the Children's Medical Services Program Office; providing for research projects; providing for annual reports to the Governor and the Legislature; redesignating and amending s. 391.11, Florida Statutes; removing the word "crippled" from a reference to "crippled child"; amending s. 391.07(2), Florida Statutes, to provide an exception for the parents of certain adopted children to pay for medical services; repealing ss. 391.01, 391.04, 391.05, 391.06, 391.07, 391.08, 391.09 and 391.10, Florida Statutes, as amended, relating to crippled children; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 2, line 23, strike "authorization for funding" and insert: appropriation

On motion by Senator Henderson, the Senate concurred in the House Amendment.

CS for SB 215 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—33

Mr. President	Gorman	Poston	Trask
Barron	Graham	Renick	Vogt
Castor	Hair	Sayler	Ware
Chamberlin	Henderson	Scarborough	Wilson
Childers, Don	Holloway	Scott	Winn
Childers, W. D.	Johnston	Skinner	Zinkil
Dunn	MacKay	Thomas, Jon	
Firestone	McClain	Thomas, Pat	
Gallen	Peterson	Tobiassen	

Nays—None

Votes after roll call:

Yeas—Spicola, Williamson

The bill was ordered engrossed and then enrolled.

The Honorable Lew Brantley, President

I am directed to inform the Senate that the House of Representatives has passed with 1 amendment—

By the Committee on Commerce and Senator Scarborough—

SB 1073—A bill to be entitled An act relating to alcoholic beverages; amending s. 562.18, Florida Statutes; permitting the operation of bonded warehouses by certain vendors after approval of the United States as to the payment of federal excise taxes; requiring vendor to purchase the alcoholic beverage from a distributor responsible for state tax; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 1, lines 21 & 25, strike the words "however," on line 21 and "state" on line 25 and insert: on line 25 "such" in place of the word "state"

On motion by Senator Scarborough, the Senate concurred in the House Amendment.

SB 1073 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—26

Mr. President	Hair	Scott	Ware
Barron	Henderson	Skinner	Williamson
Childers, W. D.	Holloway	Thomas, Jon	Wilson
Dunn	Lewis	Thomas, Pat	Winn
Firestone	McClain	Tobiassen	Zinkil
Gallen	Poston	Trask	
Graham	Scarborough	Vogt	

Nays—8

Castor	Childers, Don	Johnston	Myers
Chamberlin	Gordon	MacKay	Peterson

Votes after roll call:

Yea—Renick, Spicola

The bill was ordered engrossed and then enrolled.

SPECIAL ORDER, continued

The Senate resumed consideration of—

SB 874—A bill to be entitled An act relating to citrus; amending s. 601.15(7)(e), Florida Statutes, and adding s.

601.15(7)(f), Florida Statutes; requiring certain moneys in the Florida Citrus Advertising Trust Fund to be used for commodity advertising, merchandising, publicity, or sales promotion of citrus fruits and products; allowing the Florida Citrus Commission to authorize, for a limited time, the use of a percentage of the moneys in such fund for noncommodity advertising of citrus fruits and products, including certain brand advertising rebate programs; providing an effective date.

Senator Gordon moved the following amendment which failed:

Amendment 2—On page 2, line 21, insert after "brand": and retailer

On motion by Senator Trask, by two-thirds vote SB 874 as amended was read the third time by title and failed to pass. The vote was:

Yeas—13

Childers, W. D.	Glisson	Poston	Trask
Dunn	Graham	Renick	
Firestone	MacKay	Scarborough	
Gallen	Peterson	Tobiassen	

Nays—22

Castor	Henderson	Sayler	Vogt
Chamberlin	Holloway	Scott	Ware
Childers, Don	Johnston	Skinner	Williamson
Gordon	McClain	Spicola	Wilson
Gorman	Myers	Thomas, Jon	
Hair	Plante	Thomas, Pat	

On motion by Senator Scarborough, consideration of HB 170 was deferred.

On motion by Senator Plante, the rules were waived and the Senate immediately reconsidered the vote by which—

CS for HB 307—A bill to be entitled An act relating to condominiums; adding new paragraphs to s. 718.112(2), Florida Statutes, and amending subsection (3), providing that condominium association bylaws must require that all officers of certain associations shall be bonded and that the association shall bear the cost of bonding; requiring that such bylaws include proposed annual budget information; amending s. 718.111(1), Florida Statutes, and adding subsections (11), (12), and (13) thereto, exempting certain associations from the requirement of being incorporated; providing that notwithstanding any provision in chapter 718, Florida Statutes, an association under certain conditions may operate a group of residential condominiums as though they were a single condominium for purposes of financial matters and that common expenses for a group of residential condominiums operated by a single association may be assessed against all unit owners; requiring that certain amendments to a declaration of condominium be by secret ballot; authorizing condominium associations to purchase land and/or recreation leases; amending s. 718.203(6), Florida Statutes, providing that an insured warranty program of no less than 10 years duration which covers a residential condominium shall remain in effect for the remaining portion of said 10 year period; providing that the insuring company is required to meet any obligations of this section; providing an effective date.

—as amended passed this day.

On motion by Senator Plante the Senate reconsidered the vote by which CS for HB 307 was read the third time by title.

Senator Plante moved the following amendment to the bill as amended by Amendment 5 which was adopted:

Amendment 11—On page 1, line 6, strike "to gross leases, or"

On motion by Senator Gallen the Senate reconsidered the vote by which Amendment 3 was adopted. By permission Senator Gallen withdrew Amendment 3.

On motion by Senator Gallen the Senate reconsidered the vote by which Amendment 9 was adopted. By permission Senator Gallen withdrew Amendment 9.

Senator Firestone moved the following amendment to the bill as amended by Amendment 2 which was adopted:

Amendment 12—On page 1, lines 15 and 16, strike "~~the developer or the association shall~~" and insert: ", the developer or the association shall

Senator Plante moved the following amendment to the bill as amended by Amendment 10 which was adopted:

Amendment 13—On page 1, strike "for gross leases,"

On motion by Senator Plante, by two-thirds vote CS for HB 307 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Thomas, Pat
Barron	Gorman	Plante	Tobiassen
Castor	Graham	Poston	Trask
Chamberlin	Hair	Renick	Vogt
Childers, Don	Henderson	Sayler	Ware
Childers, W. D.	Holloway	Scarborough	Williamson
Dunn	Johnston	Scott	Wilson
Firestone	MacKay	Skinner	Zinkil
Gallen	McClain	Spicola	
Glisson	Myers	Thomas, Jon	

Nays—None

Vote after roll call:

Yea—Winn

On motion by Senator Don Childers, the rules were waived and CS for HB 307 was ordered immediately certified to the House.

CONSENT CALENDAR

SB 86—A bill to be entitled An act relating to citizen suggestions for reducing state expenditures or improving operations of state government; providing for the adoption and implementation of a program of awards for such suggestions by the Department of Administration; limiting the amount of such awards and providing funding therefor; providing an effective date.

—was read the second time by title.

The Committee on Governmental Operations offered the following amendment which was moved by Senator Graham and adopted:

Amendment 1—On page 1, lines 19 and 20, strike "greater, unless a larger award is made by the Legislature" and insert: the lesser amount

On motion by Senator Graham, by two-thirds vote SB 86 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gorman	Poston	Tobiassen
Castor	Graham	Renick	Trask
Chamberlin	Hair	Sayler	Vogt
Childers, Don	Henderson	Scarborough	Ware
Childers, W. D.	Holloway	Scott	Williamson
Dunn	Johnston	Skinner	Wilson
Firestone	MacKay	Spicola	Winn
Glisson	McClain	Thomas, Jon	Zinkil
Gordon	Myers	Thomas, Pat	

Nays—None

Vote after roll call:

Yea—Peterson

SB 1272—A bill to be entitled An act relating to education; creating s. 230.645, Florida Statutes; adding ss. 230.761(2)(c), 240.052(6), Florida Statutes; providing that a dependent child of a special risk member of the Florida Retirement System shall be given a waiver of certain postsecondary fees if the special risk member was killed in the line of duty; providing an effective date.

—was read the second time by title. On motion by Senator Winn, by two-thirds vote SB 1272 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gordon	Peterson	Thomas, Pat
Castor	Gorman	Poston	Tobiasen
Chamberlin	Graham	Renick	Trask
Childers, Don	Hair	Sayler	Vogt
Childers, W. D.	Henderson	Scarborough	Williamson
Dunn	Holloway	Scott	Wilson
Firestone	Johnston	Skinner	Winn
Gallen	McClain	Spicola	Zinkil
Glisson	Myers	Thomas, Jon	

Nays—None

SB 498—A bill to be entitled An act relating to witnesses; amending s. 90.14, Florida Statutes; providing that certain witnesses shall be entitled to per diem and travel expenses; providing an effective date.

—was read the second time by title.

The Committee on Judiciary-Civil offered the following amendments which were moved by Senator Myers and adopted:

Amendment 1—On page 1, line 17, after the word “residence” insert: *and residing more than 50 miles from the location of the trial*

Amendment 2—On page 1, line 20, after the word “fee” insert: *at the discretion of the court*

On motion by Senator Myers, by two-thirds vote SB 498 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gorman	Poston	Trask
Barron	Graham	Renick	Vogt
Castor	Hair	Sayler	Ware
Chamberlin	Henderson	Scarborough	Williamson
Childers, Don	Holloway	Scott	Wilson
Childers, W. D.	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	
Gordon	Peterson	Tobiasen	

Nays—None

SB 1131—A bill to be entitled An act relating to transportation; amending s. 335.04(4), Florida Statutes, limiting county responsibility for roads which extend into and through any incorporated area; amending s. 337.29(3), Florida Statutes, directing that liability for certain roads shall be in the governmental entity which has operation and maintenance responsibility rather than title; providing an effective date.

—was read the second time by title.

The Committee on Economic, Community and Consumer Affairs offered the following amendment which was moved by Senator Sayler and adopted:

Amendment 1—On page 1, line 26, insert after the word “ways”: *in existence at the time of transfer that are*

On motion by Senator Sayler, by two-thirds vote SB 1131 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gordon	Peterson	Tobiasen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Williamson
Childers, Don	Henderson	Scarborough	Wilson
Childers, W. D.	Holloway	Scott	Winn
Dunn	Johnston	Skinner	Zinkil
Firestone	MacKay	Spicola	
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

Vote after roll call:

Yea—Ware

SB 206—A bill to be entitled An act relating to acquisition and disposition of real property by certain governmental agencies; requiring certain governmental agencies to have two appraisals of real property it seeks to acquire or dispose of, which property is valued in excess of a specified value; prohibiting certain governmental agencies from purchasing or entering an agreement to purchase real property appraised at more than a specified value until the seller files a statement disclosing certain facts relating to the property; amending ss. 375.031(1) and 380.08(2), Florida Statutes; redesignating the agencies with which the seller's statement shall be filed and specifying the information to be disclosed in such statement; providing an effective date.

—was read the second time by title.

The Committee on Natural Resources and Conservation offered the following amendment which was moved by Senator Zinkil and adopted:

Amendment 1—On page 2, lines 5-6, strike “period from January 1, 1970, to” and insert: *five years immediately preceding*

On motion by Senator Zinkil, by two-thirds vote SB 206 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gorman	Poston	Trask
Barron	Graham	Renick	Vogt
Castor	Hair	Scarborough	Ware
Chamberlin	Holloway	Scott	Williamson
Childers, Don	Johnston	Skinner	Wilson
Childers, W. D.	MacKay	Spicola	Winn
Firestone	McClain	Thomas, Jon	Zinkil
Gallen	Myers	Thomas, Pat	
Glisson	Peterson	Tobiasen	

Nays—None

SB 349 was taken up and on motion by Senator Gordon—

HB 874—A bill to be entitled An act relating to the Homestead Property Tax Deferral Act; amending ss. 197.0164(2)(d), 197.0165(1), (2), and (5), 197.0168(1) and (2)(b), 197.0169(1), (2), and (3), and 197.0171, Florida Statutes, and amending s. 197.0166(1), (2), (4), and (5), Florida Statutes, and adding subsection (6); clarifying language; redefining “income”; providing for application for deferral before January 31 following the year in which taxes are assessed; specifying time periods for the tax collector's consideration of applications and notice of disapproval; providing for filing of proceedings by the tax collector or other lienholder upon disapproval of an application by the Property Appraisal Adjustment Board; providing that the loss payable clause of required insurance shall be to the tax collector; providing for notice to the property appraiser; restricting bids which may be accepted by the tax collector on sale of deferred payment tax certificates; providing for

change in ownership of tax-deferred property; deleting duty of property appraiser to notify tax collector of failure to maintain required insurance on tax-deferred property; amending s. 15 of chapter 77-301, Laws of Florida, specifying that deferral of taxes shall begin with taxes assessed for 1978; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Gordon, by two-thirds vote HB 874 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Gordon	Myers	Thomas, Jon
Barron	Gorman	Peterson	Thomas, Pat
Castor	Graham	Poston	Tobiassen
Chamberlin	Hair	Renick	Trask
Childers, Don	Henderson	Sayler	Vogt
Childers, W. D.	Holloway	Scarborough	Ware
Firestone	Johnston	Scott	Williamson
Gallen	MacKay	Skinner	Winn
Glisson	McClain	Spicola	Zinkil

Nays—1

Wilson

SB 645 was taken up and on motion by Senator Firestone—

HB 1035—A bill to be entitled An act relating to the Administrative Procedure Act; amending s. 120.50, Florida Statutes, removing an exemption providing that the determination of rate revisions or hearings thereon with respect to the automobile Joint Underwriting Association shall not be subject to the Administrative Procedure Act; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Firestone, by two-thirds vote HB 1035 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Gorman	Peterson	Thomas, Pat
Barron	Graham	Poston	Tobiassen
Castor	Hair	Renick	Trask
Chamberlin	Henderson	Sayler	Vogt
Childers, Don	Holloway	Scarborough	Ware
Childers, W. D.	Johnston	Scott	Williamson
Firestone	MacKay	Skinner	Winn
Gallen	McClain	Spicola	Winn
Glisson	Myers	Thomas, Jon	Zinkil

Nays—None

SB 651—A bill to be entitled An act relating to public meetings; amending s. 286.011, Florida Statutes, which provides that meetings of state and local agencies shall be open to the public, to provide for assessment of attorney's fees against agencies and certain individuals found in violation of said section; providing for assessment of attorney's fees against an individual bringing an action for violation of said section under certain circumstances; prohibiting public meetings at certain locations; providing for reimbursement of attorney's fees under certain circumstances; providing an effective date.

—was read the second time by title.

The Committee on Governmental Operations offered the following amendment which was moved by Senator Hair and adopted:

Amendment 1—On page 3, strike line 21 and insert: *any state agency or authority or any agency or authority of any county, municipal corporation, or any political subdivision is charged with a*

On motion by Senator Hair, by two-thirds vote SB 651 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

Mr. President	Graham	Sayler	Vogt
Barron	Hair	Scarborough	Ware
Castor	Henderson	Scott	Williamson
Chamberlin	Johnston	Skinner	Wilson
Childers, Don	MacKay	Spicola	Winn
Childers, W. D.	McClain	Thomas, Jon	Zinkil
Firestone	Myers	Thomas, Pat	
Glisson	Peterson	Tobiassen	
Gordon	Poston	Trask	

Nays—1

Renick

Vote after roll call:

Nay to Yea—Renick

SB 786—A bill to be entitled An act relating to the Florida Construction Industry Licensing Board; amending s. 468.109(2), (6), Florida Statutes; providing the maximum fee to be imposed upon an applicant for registration without examination as a specialty contractor; providing for payment of certain uncommitted or unexpended funds by the board at the end of each biennial licensing period into the General Revenue Fund; providing an effective date.

—was read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote SB 786 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gordon	Poston	Trask
Barron	Gorman	Renick	Vogt
Castor	Graham	Sayler	Ware
Chamberlin	Hair	Scarborough	Williamson
Childers, Don	Henderson	Scott	Wilson
Childers, W. D.	Johnston	Skinner	Winn
Dunn	MacKay	Spicola	Zinkil
Firestone	McClain	Thomas, Jon	
Gallen	Myers	Thomas, Pat	
Glisson	Peterson	Tobiassen	

Nays—None

SB 1194—A bill to be entitled An act relating to municipal public works; amending s. 180.22, Florida Statutes, authorizing a municipality to utilize certain methods to finance any extra-territorial exercise of its eminent domain powers for municipal public works projects; providing an effective date.

—was read the second time by title. On motion by Senator Scott, by two-thirds vote SB 1194 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Barron	Gordon	Peterson	Tobiassen
Castor	Gorman	Poston	Trask
Childers, Don	Graham	Renick	Vogt
Childers, W. D.	Hair	Sayler	Ware
Dunn	Henderson	Scott	Williamson
Firestone	Holloway	Skinner	Winn
Gallen	Johnston	Spicola	Zinkil
Glisson	Myers	Thomas, Jon	

Nays—5

Chamberlin	McClain	Thomas, Pat	Wilson
MacKay			

SB 560—A bill to be entitled An act relating to traffic control devices; amending s. 316.0745(1), Florida Statutes; authorizing the Department of Transportation to adopt a uniform system of traffic control devices for use wherever the public has a right to travel except on privately owned property

which is intermittently made available for public use; providing an effective date.

—was read the second time by title. On motion by Senator Poston, by two-thirds vote SB 560 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Saylor	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Skinner	Winn
Firestone	Johnston	Spicola	
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—1

Zinkil

SB 1146—A bill to be entitled An act relating to the Florida State Fair Authority; amending s. 616.252(1) and (3), Florida Statutes; providing for quarterly meetings; providing qualifications of members; providing that six members may be from Hillsborough County; amending s. 616.253, Florida Statutes; providing for election of an executive committee; providing that no more than three directors from any congressional district or county may serve on the executive committee; providing an effective date.

—was read the second time by title. On motion by Senator Trask, by two-thirds vote SB 1146 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gorman	Peterson	Tobiassen
Barron	Graham	Renick	Trask
Castor	Hair	Saylor	Vogt
Childers, Don	Henderson	Scarborough	Ware
Childers, W. D.	Holloway	Scott	Williamson
Firestone	Johnston	Skinner	Wilson
Gallen	MacKay	Spicola	Winn
Glisson	McClain	Thomas, Jon	Zinkil
Gordon	Myers	Thomas, Pat	

Nays—None

SB 1169—A bill to be entitled An act relating to criminal law enforcement; amending s. 943.14(2), Florida Statutes, clarifying the circumstances permitting the employment of persons as police officers without a certificate of compliance from the Police Standards and Training Commission; providing an effective date.

—was read the second time by title. On motion by Senator McClain, by two-thirds vote SB 1169 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Gorman	Peterson	Thomas, Pat
Castor	Graham	Poston	Tobiassen
Chamberlin	Hair	Renick	Trask
Childers, Don	Henderson	Saylor	Vogt
Childers, W. D.	Holloway	Scarborough	Ware
Firestone	Johnston	Scott	Williamson
Gallen	MacKay	Skinner	Wilson
Glisson	McClain	Spicola	Winn
Gordon	Myers	Thomas, Jon	Zinkil

Nays—None

SB 866—A bill to be entitled An act relating to motor vehicle registration; amending s. 318.12, Florida Statutes; providing legislative intent; amending ss. 318.14(1), (4), 320.07(3), Florida Statutes; designating the operation of a motor vehicle with an expired registration as a noncriminal traffic infrac-

tion; requiring submission of proof of compliance along with payment of the civil penalty for such infraction; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote SB 866 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gorman	Poston	Tobiassen
Castor	Graham	Renick	Trask
Chamberlin	Henderson	Saylor	Vogt
Childers, Don	Holloway	Scarborough	Ware
Childers, W. D.	Johnston	Scott	Williamson
Firestone	MacKay	Skinner	Wilson
Gallen	McClain	Spicola	Winn
Glisson	Myers	Thomas, Jon	Zinkil
Gordon	Peterson	Thomas, Pat	

Nays—None

SB 358—A bill to be entitled An act relating to junk dealers, scrap metal processors, persons dealing in secondhand goods, and foundries; amending s. 812.049(3), Florida Statutes; redefining "metals"; providing an effective date.

—was read the second time by title.

The Committee on Commerce offered the following amendments which were moved by Senator Holloway and adopted:

Amendment 1—On page 1, lines 12 and 13, strike "ss. 312.051 and 312.052" and insert: s. 312.051

Amendment 2—On page 1, line 15, insert after the words "*or equipment*": *any of*

Amendment 3—On page 1, lines 14 and 15, strike "*wires, cables, bus bars, fittings, or equipment*" and insert: *copper wires, copper cables, copper bus bars, copper fittings, or copper equipment*

On motion by Senator Holloway, by two-thirds vote SB 358 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gorman	Poston	Tobiassen
Castor	Graham	Renick	Trask
Chamberlin	Henderson	Saylor	Vogt
Childers, Don	Holloway	Scarborough	Ware
Childers, W. D.	Johnston	Scott	Williamson
Firestone	MacKay	Skinner	Wilson
Gallen	McClain	Spicola	Winn
Glisson	Myers	Thomas, Jon	Zinkil
Gordon	Peterson	Thomas, Pat	

Nays—None

HB 415—A bill to be entitled An act relating to the Florida Litter Law; amending s. 403.413(4)(a) and (5)(a), Florida Statutes, providing that the operator of a motor vehicle shall be deemed in violation of the Florida Litter Law when litter is thrown or discarded from the motor vehicle; reducing the penalty for violation of the Florida Litter Law if the violation is for litter weighing less than 5 pounds; providing jurisdiction; providing for the assessment and collection of fines; providing for the disbursement of monies collected; providing certain civil penalties; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 415 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Henderson	Scarborough	Ware
Childers, Don	Holloway	Scott	Williamson
Childers, W. D.	Johnston	Skinner	Wilson
Firestone	MacKay	Spicola	Winn
Gallen	McClain	Thomas, Jon	Zinkil
Glisson	Myers	Thomas, Pat	
Gordon	Peterson	Tobiassen	

Nays—None

On motion by Senator Henderson, by two-thirds vote —

SR 1352—A resolution recognizing the outstanding contributions made to the Sarasota area and to the State of Florida by James D. Neville; recognizing the valuable contribution to our state and nation made by the General Development Corporation and the General Development Foundation for their investigation, preservation, and research at the Little Salt Spring archaeological site; and recognizing the remarkable achievements of W. A. Cockrell and the Underwater Archaeological Research Section of the Bureau of Historic Sites and Properties in advancing the cause of the study of humankind.

—was read the second time in full. On motion by Senator Henderson SR 1352 was adopted. The vote on adoption was:

Yeas—33

Mr. President	Graham	Poston	Trask
Castor	Hair	Renick	Vogt
Chamberlin	Henderson	Scarborough	Ware
Childers, Don	Holloway	Scott	Williamson
Firestone	Johnston	Skinner	Wilson
Gallen	MacKay	Spicola	Winn
Glisson	McClain	Thomas, Jon	
Gordon	Myers	Thomas, Pat	
Gorman	Peterson	Tobiassen	

Nays—None

Vote after roll call:

Yea—W. D. Childers

On motion by Senator Henderson, by two-thirds vote SCR 574 was removed from the calendar and indefinitely postponed.

By the Committee on Health and Rehabilitative Services and Senator Don Childers—

CS for SB 1034—A bill to be entitled An act relating to the Department of Health and Rehabilitative Services; adding s. 409.266(2)(c), Florida Statutes; providing for prepaid health services to be delivered as demonstration projects through county health departments; exempting such projects from the provisions of part II of chapter 641, Florida Statutes, relating to health maintenance organizations; limiting the number of demonstration projects prior to July 1, 1980; providing for a demonstration project in Palm Beach County; providing for evaluation and reporting of program results; providing an effective date.

—was read the first time by title and SB 1034 was laid on the table.

On motion by Senator Don Childers, by two-thirds vote CS for SB 1034 was read the second time by title.

Senator Don Childers moved the following amendment which was adopted:

Amendment 1—On page 1, line 11, after "1980," insert: and every 2 years thereafter

On motion by Senator Don Childers, by two-thirds vote CS for SB 1034 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

Mr. President	Gorman	Renick	Vogt
Castor	Graham	Scarborough	Ware
Chamberlin	Henderson	Scott	Williamson
Childers, Don	Holloway	Skinner	Wilson
Childers, W. D.	Johnston	Spicola	Winn
Firestone	MacKay	Thomas, Jon	Zinkil
Gallen	McClain	Thomas, Pat	
Glisson	Myers	Tobiassen	
Gordon	Poston	Trask	

Nays—None

Vote after roll call:

Yea—Peterson

By the Committee on Natural Resources and Conservation and Senator Ware—

CS for SB 856—A bill to be entitled An act relating to counties; creating s. 125.275, Florida Statutes; providing for county-wide air quality protection; prescribing powers of counties designated as nonattainment areas pursuant to state and federal law; providing for preemption of municipal ordinances pertaining to air quality in such counties; providing an effective date.

—was read the first time by title and SB 856 was laid on the table.

On motion by Senator Ware, by two-thirds vote CS for SB 856 was read the second time by title.

Senator Ware moved the following amendment which was adopted:

Amendment 1—On page 2, line 10 through 12, strike " , nor to modify any standard as to any particular pollutant provided in any existing local act." and insert: . Nothing herein shall be construed to modify any authority granted by an existing special act pertaining to air quality control.

On motion by Senator Ware, by two-thirds vote CS for SB 856 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gorman	Poston	Trask
Barron	Graham	Renick	Vogt
Castor	Hair	Scarborough	Ware
Chamberlin	Holloway	Scott	Williamson
Childers, Don	Johnston	Skinner	Wilson
Childers, W. D.	MacKay	Spicola	Winn
Firestone	McClain	Thomas, Jon	Zinkil
Gallen	Myers	Thomas, Pat	
Glisson	Peterson	Tobiassen	

Nays—None

On motion by Senator Sayler, the rules were waived and CS for SB 856 after being engrossed was ordered immediately certified to the House.

SB 539—A bill to be entitled An act relating to veterans; amending ss. 295.07, 295.08, 295.09, 295.10, 295.11, and 295.14(1), Florida Statutes, relating to preference in employment and promotion for certain veterans or their spouses by the state or its political subdivisions; deleting references to certain time limitations; clarifying certain references to include certain veteran's spouses, widows, and widowers; deleting the salary limitation with respect to positions designated as professional or technical by the Federal Government; specifying application of penalties for failure to file required reports; specifying that penalties apply to appointed officers of the state and its political subdivisions; providing an effective date.

—was read the second time by title. On motion by Senator Peterson, by two-thirds vote SB 539 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gorman	Poston	Trask
Barron	Graham	Renick	Vogt
Castor	Hair	Scarborough	Ware
Chamberlin	Holloway	Scott	Williamson
Childers, Don	Johnston	Skinner	Wilson
Childers, W. D.	MacKay	Spicola	Winn
Firestone	McClain	Thomas, Jon	Zinkil
Gallen	Myers	Thomas, Pat	
Glisson	Peterson	Tobiassen	

Nays—None

On motion by Senator Peterson, the rules were waived and SB 539 was ordered immediately certified to the House.

By the Committee on Commerce and Senator Glisson—

CS for SB 945—A bill to be entitled An act relating to the regulation of public utilities; amending s. 366.03, Florida Statutes; requiring public utilities to furnish electricity for resale when such resale is to be in conjunction with the sale of other services under certain conditions; providing for charges for such resale; providing an effective date.

—was read the first time by title and SB 945 was laid on the table.

On motions by Senator Glisson, by two-thirds vote CS for SB 945 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gorman	Poston	Trask
Barron	Graham	Renick	Vogt
Castor	Hair	Scarborough	Ware
Chamberlin	Holloway	Scott	Williamson
Childers, Don	Johnston	Skinner	Wilson
Childers, W. D.	MacKay	Spicola	Winn
Firestone	McClain	Thomas, Jon	Zinkil
Glisson	Myers	Thomas, Pat	
Gordon	Peterson	Tobiassen	

Nays—None

By the Committee on Judiciary-Criminal and Senator Spicola—

CS for SB 988—A bill to be entitled An act relating to the Florida State Fair Authority, fairs and expositions; creating s. 616.2561, Florida Statutes; providing definition of trespass upon the grounds of the state fair authority or any other fair or exposition permitted under s. 616.15, Florida Statutes; prohibiting such trespass; providing a penalty; exempting from liability any peace officer who arrests a person for such trespass under certain circumstances; providing an effective date.

—was read the first time by title and SB 988 was laid on the table.

On motions by Senator Spicola, by two-thirds vote CS for SB 988 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Graham	Renick	Vogt
Barron	Hair	Scarborough	Ware
Castor	Holloway	Scott	Williamson
Childers, Don	Johnston	Skinner	Wilson
Childers, W. D.	MacKay	Spicola	Winn
Firestone	McClain	Thomas, Jon	Zinkil
Glisson	Myers	Thomas, Pat	
Gordon	Peterson	Tobiassen	
Gorman	Poston	Trask	

Nays—1

Chamberlin

CS for SB 330, by the Committee on Agriculture and Senator Skinner, was read the first time by title and SB 330 was laid on the table. On motion by Senator Skinner the rules were waived and by two-thirds vote CS for HB 410 was withdrawn from the Committee on Commerce. On motion by Senator Skinner—

CS for HB 410—A bill to be entitled An act relating to forest protection; creating s. 590.091, Florida Statutes; authorizing the Division of Forestry of the Department of Agriculture and Consumer Services, with the concurrence of the governing body of each affected county or city, to designate certain railroad rights-of-way as known fire hazard areas; requiring railroads operating in the state to maintain their rights-of-way so designated in an approved condition as prescribed by the division and to provide adequate firebreaks; providing an effective date.

—a companion measure, was substituted for CS for SB 330 and read the second time by title. On motion by Senator Skinner by two-thirds vote CS for HB 410 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gorman	Poston	Trask
Barron	Graham	Renick	Vogt
Castor	Hair	Scarborough	Ware
Chamberlin	Holloway	Scott	Williamson
Childers, Don	Johnston	Skinner	Wilson
Childers, W. D.	MacKay	Spicola	Winn
Firestone	McClain	Thomas, Jon	Zinkil
Glisson	Myers	Thomas, Pat	
Gordon	Peterson	Tobiassen	

Nays—None

CS for SB 330 was laid on the table.

By the Committee on Education and Senators Johnston and Lewis—

CS for SB 550—A bill to be entitled An act relating to public schools; amending s. 236.013(2)(a), Florida Statutes; providing funding for modified school calendar programs beyond the experimental period when such programs are specifically authorized by the Legislature; providing an effective date.

—was read the first time by title and SB 550 was laid on the table.

On motion by Senator Johnston, by two-thirds vote CS for SB 550 was read the second time by title.

Senator Johnston moved the following amendment which was adopted:

Amendment 1—On page 2, strike lines 7 through 9 and insert: *Education Finance Program until 1982:*

On motion by Senator Johnston, by two-thirds vote CS for SB 550 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

Barron	Gorman	Peterson	Tobiassen
Castor	Graham	Poston	Trask
Chamberlin	Hair	Renick	Vogt
Childers, Don	Henderson	Scarborough	Ware
Childers, W. D.	Holloway	Scott	Williamson
Firestone	Johnston	Skinner	Wilson
Gallen	MacKay	Spicola	Winn
Glisson	McClain	Thomas, Jon	Zinkil
Gordon	Myers	Thomas, Pat	

Nays—None

SB 892—A bill to be entitled An act relating to the Public Employees Relations Commission; amending s. 447.205(1),(2), Florida Statutes; redesignating the commission's alternate

member as an associate member; repealing Governor's power to remove commissioners; repealing quorum requirement; providing an effective date.

—was read the second time by title.

The Committee on Personnel, Retirement and Collective Bargaining offered the following amendments which were moved by Senator Johnston and adopted:

Amendment 1—On page 2, line 17, after "business." insert: *The concurrence of two commissioners shall be necessary for the issuance of any order.*

Amendment 2—On page 1 in title, line 7, after "requirement;" insert: providing that the concurrence of two commissioners shall be necessary for the issuance of any order;

On motion by Senator Johnston, by two-thirds vote SB 892 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Mr. President	Gordon	Myers	Thomas, Pat
Barron	Gorman	Peterson	Tobiassen
Castor	Graham	Poston	Trask
Chamberlin	Hair	Renick	Vogt
Childers, Don	Henderson	Scarborough	Ware
Childers, W. D.	Holloway	Scott	Williamson
Firestone	Johnston	Skinner	Wilson
Gallen	MacKay	Spicola	Winn
Glisson	McClain	Thomas, Jon	Zinkil

Nays—None

SB 876—A bill to be entitled An act relating to charity racing days; adding paragraph (k) to s. 550.03(2), Florida Statutes, directing the Board of Business Regulation to authorize an additional charity day of operation for all jai alai frontons in Broward County; providing for the payment of such funds to the Broward Community College Foundation, Inc.; providing an effective date.

—was read the second time by title.

The Committee on Commerce offered the following amendments which were moved by Senator Jon Thomas and adopted:

Amendment 1—On page 1, line 17, strike "shall" and insert: *may*

Amendment 2—On page 1 in title, line 4, strike "directing" and insert: *authorizing*

On motion by Senator Jon Thomas, by two-thirds vote SB 876 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

Barron	Gorman	Peterson	Tobiassen
Castor	Graham	Poston	Trask
Chamberlin	Hair	Renick	Vogt
Childers, Don	Henderson	Scarborough	Ware
Childers, W. D.	Holloway	Scott	Williamson
Firestone	Johnston	Skinner	Wilson
Gallen	MacKay	Spicola	Winn
Glisson	McClain	Thomas, Jon	Zinkil
Gordon	Myers	Thomas, Pat	

Nays—None

SB 964—A bill to be entitled An act relating to birth certificates; creating s. 382.211, Florida Statutes; requiring the State Registrar of Vital Statistics to make and file, under

certain circumstances, a new birth certificate for a foreign-born, alien child adopted in Florida; providing an effective date.

—was read the second time by title. On motion by Senator Chamberlin, by two-thirds vote SB 964 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Glisson	McClain	Spicola
Barron	Gordon	Myers	Thomas, Jon
Castor	Gorman	Peterson	Thomas, Pat
Chamberlin	Graham	Poston	Tobiassen
Childers, Don	Hair	Renick	Vogt
Childers, W. D.	Henderson	Saylor	Ware
Dunn	Holloway	Scarborough	Williamson
Firestone	Johnston	Scott	Wilson
Gallen	MacKay	Skinner	Winn

Nays—None

CS for SB 1205, by the Committee on Economic, Community and Consumer Affairs and Senator Castor, was read the first time by title and SB 1205 was laid on the table.

On motion by Senator Castor, by two-thirds vote HB 1998 was withdrawn from the Committees on Economic, Community and Consumer Affairs; Health and Rehabilitative Services; and Appropriations. On motion by Senator Castor—

HB 1998—A bill to be entitled An act relating to the Housing Authorities Law; amending ss. 421.05(1), 421.091, 421.11, 421.21(2), 421.25 and 421.47, Florida Statutes; amending s. 421.10(1)(c), Florida Statutes, and adding paragraph (d); amending s. 421.15(1) and (2), Florida Statutes, and adding subsection (3); repealing s. 421.20, Florida Statutes, providing for appointment of commissioners of an authority to fill vacancies; providing for biennial audits and for the fiscal year of authorities; providing for acceptance of tenants; providing that the Department of Health and Rehabilitative Services shall not consider certain payments as income for aid to Families with Dependent Children; restricting interlocal agreements; providing for interest rate and sale of debentures; authorizing sale of debentures when a public sale produces no bid or all bids are rejected; repealing the exemption of real property of a city housing authority from levy and sale by virtue of an execution or other judicial process; correcting references to certain federal agencies; providing an effective date.

—a companion measure, was substituted for CS for SB 1205 and read the second time by title. On motion by Senator Castor, by two-thirds vote HB 1998 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Gordon	Peterson	Thomas, Pat
Castor	Gorman	Poston	Tobiassen
Chamberlin	Graham	Renick	Trask
Childers, Don	Hair	Saylor	Vogt
Childers, W. D.	Holloway	Scarborough	Ware
Dunn	Johnston	Scott	Williamson
Firestone	MacKay	Skinner	Wilson
Gallen	McClain	Spicola	Winn
Glisson	Myers	Thomas, Jon	Zinkil

Nays—None

CS for SB 1205 was laid on the table.

SB 1240—A bill to be entitled An act relating to unemployment compensation; amending s. 20.17(5) to change the title of the Board of Review to the Unemployment Appeals Commission; providing an effective date.

—was read the second time by title. On motion by Senator Scarborough, by two-thirds vote SB 1240 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Gordon	Myers	Thomas, Jon
Castor	Gorman	Peterson	Thomas, Pat
Chamberlin	Graham	Poston	Tobiassen
Childers, Don	Hair	Renick	Vogt
Childers, W. D.	Henderson	Saylor	Ware
Dunn	Holloway	Scarborough	Williamson
Firestone	Johnston	Scott	Wilson
Gallen	MacKay	Skinner	Winn
Glisson	McClain	Spicola	Zinkil

Nays—None

By the Committee on Judiciary-Civil and Senator Plante—

CS for SB 1183—A bill to be entitled An act relating to county sheriffs; amending s. 30.50(2), Florida Statutes; providing for the disbursement of funds appropriated for investigations; providing for the keeping of confidential records; providing conditions under which such records may be revealed to the circuit court; providing an effective date.

—was read the first time by title and SB 1183 was laid on the table.

On motions by Senator Hair, by two-thirds vote CS for SB 1183 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gorman	Poston	Tobiassen
Castor	Graham	Renick	Trask
Chamberlin	Hair	Saylor	Vogt
Childers, Don	Henderson	Scarborough	Ware
Dunn	Holloway	Scott	Williamson
Firestone	Johnston	Skinner	Wilson
Gallen	MacKay	Spicola	Winn
Glisson	McClain	Thomas, Jon	Zinkil
Gordon	Myers	Thomas, Pat	

Nays—None

Vote after roll call:

Yea—W. D. Childers

SB 1156—A bill to be entitled An act relating to agriculture; creating s. 570.56, Florida Statutes; making it unlawful to dye, color, or otherwise alter or process lemons to resemble limes for purposes of commercial sale; providing a penalty; providing an effective date.

—was read the second time by title.

The Committee on Agriculture offered the following amendments which were moved by Senator Renick and adopted:

Amendment 1—On page 1, strike all of lines 13 through 14 and insert: 570.56 Selling of lemons resembling limes as limes or altering of lemons to resemble limes; penalty.—It is unlawful to sell lemons resembling limes as limes or to dye, color, or otherwise alter or

Amendment 2—On page 1 in title, line 3 after the word "to" insert: sell lemons resembling limes as limes or to

On motion by Senator Renick, by two-thirds vote SB 1156 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

Castor	Gorman	Poston	Tobiassen
Chamberlin	Graham	Renick	Trask
Childers, Don	Hair	Saylor	Vogt
Childers, W. D.	Henderson	Scarborough	Ware
Dunn	Holloway	Scott	Williamson
Firestone	Johnston	Skinner	Wilson
Gallen	MacKay	Spicola	Winn
Glisson	McClain	Thomas, Jon	
Gordon	Peterson	Thomas, Pat	

Nays—None

SB 480—A bill to be entitled An act relating to elections; amending s. 100.041(1) and (3)(a), Florida Statutes, changing the date on which the term of a superintendent of schools begins; providing an effective date.

—was read the second time by title.

Senators Tobiassen and W. D. Childers offered the following amendment which was moved by Senator Tobiassen and adopted:

Amendment 1—On page 2, between lines 7 and 8 insert: Section 2. This act shall not shorten the terms of any superintendent of schools serving as of the effective date of this law.

Renumber subsequent section.

On motion by Senator MacKay, by two-thirds vote SB 480 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—31

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Chamberlin	Graham	Renick	Vogt
Childers, Don	Hair	Saylor	Ware
Childers, W. D.	Henderson	Scarborough	Williamson
Firestone	Holloway	Scott	Winn
Gallen	Johnston	Spicola	Zinkil
Glisson	MacKay	Thomas, Jon	

Nays—None

SB 816—A bill to be entitled An act relating to payment of jurors and witnesses; amending ss. 40.29-40.35, Florida Statutes; prescribing procedures for the requisition of state funds and for the payment of jurors and witnesses before a grand jury or state attorney; prescribing procedures for accounting for such payments; requiring the Governor, when he suspends a clerk for failing to report and account for certain moneys, to report such action to the Senate; providing an effective date.

—was read the second time by title.

The Committee on Judiciary-Civil offered the following amendments which were moved by Senator Dunn and adopted:

Amendment 1—On page 1, lines 25 and 26, strike the words "or state attorney"

Amendment 2—On page 1, lines 6 and 7, strike "or state attorney"

On motion by Senator Dunn, by two-thirds vote SB 816 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Mr. President	Gordon	Myers	Thomas, Pat
Castor	Gorman	Poston	Tobiassen
Chamberlin	Graham	Renick	Trask
Childers, Don	Hair	Saylor	Vogt
Childers, W. D.	Henderson	Scarborough	Ware
Dunn	Holloway	Scott	Williamson
Firestone	Johnston	Skinner	Wilson
Gallen	MacKay	Spicola	Winn
Glisson	McClain	Thomas, Jon	Zinkil

Nays—None

By the Committee on Economic, Community and Consumer Affairs and Senator P. Thomas—

CS for SB 1234—A bill to be entitled An act relating to roads; amending s. 335.075(4), Florida Statutes; providing for substantial compliance with uniform minimum standards for design, construction and maintenance of roads; providing an effective date.

—was read the first time by title and SB 1234 was laid on the table.

On motions by Senator Pat Thomas, by two-thirds vote CS for SB 1234 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gorman	Renick	Trask
Castor	Graham	Sayler	Vogt
Chamberlin	Hair	Scarborough	Ware
Childers, Don	Henderson	Scott	Williamson
Childers, W. D.	Johnston	Skinner	Wilson
Dunn	MacKay	Spicola	Winn
Firestone	McClain	Thomas, Jon	Zinkil
Gallen	Myers	Thomas, Pat	
Glisson	Poston	Tobiassen	

Nays—None

SB 615—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08(1), Florida Statutes, and adding paragraph (7)(1); providing a sales tax exemption for prepared meals delivered by a nonprofit volunteer organization to handicapped, elderly, or indigent persons; providing an effective date.

—was read the second time by title. On motion by Senator Gallen, by two-thirds vote SB 615 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Gordon	Myers	Thomas, Pat
Castor	Gorman	Poston	Tobiassen
Chamberlin	Graham	Renick	Trask
Childers, Don	Hair	Sayler	Vogt
Childers, W. D.	Henderson	Scarborough	Ware
Dunn	Holloway	Scott	Williamson
Firestone	Johnston	Skinner	Wilson
Gallen	MacKay	Spicola	Winn
Glisson	McClain	Thomas, Jon	Zinkil

Nays—None

SB 819 was taken up and on motion by Senator Wilson—

HB 663—A bill to be entitled An act relating to motor vehicles; amending s. 319.35, Florida Statutes, which prohibits tampering with the odometer of a motor vehicle; making it unlawful to supply a false odometer statement; increasing the penalty; amending paragraph (h) and adding paragraph (k) to s. 320.27(9), Florida Statutes; providing for denial, suspension, or revocation of a motor vehicle dealer's license for failure by any motor vehicle dealer to provide a customer or purchaser with an odometer disclosure statement and for violation of s. 319.35; amending s. 325.19(5), Florida Statutes; requiring the current odometer reading and previous certificate number to be recorded and included in inspection records; amending s. 325.24(1), Florida Statutes; requiring that records be maintained for 24 months in an accessible manner; providing an effective date.

—a companion measure was substituted therefor and read the second time by title.

The Committee on Judiciary-Criminal offered the following amendments which were moved by Senator Wilson and adopted:

Amendment 1—On page 2, line 8, strike "*tampered with*" and insert: *altered*

Amendment 2—On page 2, line 24, strike "*violating*" and insert: after person who intentionally violates

Amendment 3—On page 3, line 27, after "*inspection*" insert: *, if any,*

Amendment 4—On page 1, strike line 6 and insert: Statement; making it unlawful to bring certain motor vehicles into the state; increasing the penalty; amending

On motion by Senator Wilson, by two-thirds vote HB 663 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gordon	Poston	Tobiassen
Castor	Gorman	Renick	Trask
Chamberlin	Graham	Sayler	Vogt
Childers, Don	Hair	Scarborough	Ware
Childers, W. D.	Henderson	Scott	Williamson
Dunn	Johnston	Skinner	Wilson
Firestone	MacKay	Spicola	Winn
Gallen	McClain	Thomas, Jon	Zinkil
Glisson	Myers	Thomas, Pat	

Nays—None

SB 819 was laid on the table.

SB 891—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 570.53, Florida Statutes; eliminating the Bureau of Agricultural Information of the Division of Marketing of the department; creating a Bureau of Market Expansion and Promotion, a Bureau of Crop and Livestock Reporting, and a Bureau of Technical Marketing Programs of the division; amending s. 570.54, Florida Statutes; expanding the duties of the director of the division; providing an effective date.

—was read the second time by title. On motion by Senator Trask, by two-thirds vote SB 891 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Glisson	McClain	Thomas, Pat
Barron	Gordon	Myers	Tobiassen
Castor	Gorman	Poston	Trask
Chamberlin	Graham	Renick	Vogt
Childers, Don	Hair	Scarborough	Ware
Childers, W. D.	Henderson	Scott	Williamson
Dunn	Holloway	Skinner	Wilson
Firestone	Johnston	Spicola	Winn
Gallen	MacKay	Thomas, Jon	Zinkil

Nays—None

On motion by Senator Scarborough, the rules were waived and HB 2079 was placed at the end of the consent calendar.

HB 2079—A bill to be entitled An act relating to the Alcoholic Beverage Law; creating ss. 564.045 and 565.095, Florida Statutes; defining "primary American source of supply"; requiring registration of certain liquor and wine suppliers with the Division of Alcoholic Beverages and Tobacco of the Department of Business Regulation for tax control purposes; prohibiting certain interstate and foreign shipments of liquors and wines into this state; providing an effective date.

—was read the second time by title.

Senator Henderson moved the following amendments which were adopted:

Amendment 1—On page 3, between lines 25 and 26, insert: Section 3.

No brand or label registered hereunder or any brand or label of wine may be withdrawn from any distributor after it has been sold by a manufacturer to any distributor unless good cause for its withdrawal is shown by the manufacturer. Withdrawal of a registered brand or label by a manufacturer shall be permitted only if written notice is sent by certified mail to any distributor carrying the manufacturer's brand or label to the Division prior to its withdrawal. If no objection is lodged with the Division by a distributor carrying the brand or label intended to be withdrawn within the time as hereinafter set forth, the brand or label may be withdrawn without a showing of good cause sixty (60) days after the Division's receipt of the manufacturer's notice of intent to withdraw. Any distributor carrying the brand or label or line

who objects to its withdrawal shall file its written objection by certified mail with the Division and the manufacturer within sixty (60) days from its receipt of the manufacturer's notice of intent to withdraw. The distributor's objection shall be deemed a petition for declaratory statement; must comply with the Division's administrative rule for such petitions; and shall be disposed of thereby. In rendering its decision the Division shall consider the reasons given by the manufacturer to justify the withdrawal and the distributor's reasons against the withdrawal. If the Division determines that good cause to justify the withdrawal is absent, the Division may prohibit the brand or label from being withdrawn and failure on the part of the manufacturer so prohibited to ship the distributor a reasonable amount of the brand sought to be withdrawn will result in the withdrawal from sale in this State of all its brands. All distributors carrying a particular brand or label of spirituous or vinous beverages as of the effective date of this act, shall be deemed to be the distributors for the manufacturers of such brands or labels. No other distributors may be appointed by any manufacturer or representative of a manufacturer to carry the brands or labels already distributed on the effective date of this act unless the division first approves the withdrawal from the existing distributor pursuant to this act. The purchase of any spirituous or vinous beverages by any licensed wholesaler or distributor from any manufacturer who has not complied with the provisions of this subsection is prohibited.

(Renumber subsequent section)

Amendment 2—On page 1 in title, line 11, after the semicolon insert: regulating the withdrawal of brands or labels of alcohol or wine from a distributor by a manufacturer;

On motion by Senator Scarborough, by two-thirds vote HB 2079 as amended was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—20

Barron	McClain	Skinner	Ware
Childers, W. D.	Poston	Spicola	Williamson
Firestone	Renick	Thomas, Pat	Wilson
Gorman	Scarborough	Winn	Zinkil
Henderson	Scott	Trask	

Nays—7

Chamberlin	Dunn	Johnston	Vogt
Childers, Don	Graham	MacKay	

Vote after roll call:

Yea—Holloway

On motion by Senator Scarborough, the rules were waived and HB 2079 was ordered immediately certified to the House.

On motion by Senator Firestone, the rules were waived by unanimous consent and the Senate reverted to Introduction for the purpose of introducing the following resolution out of order:

INTRODUCTION

By Senator Firestone—

SCR 1354—A concurrent resolution requesting the Governor of the State to return Senate Bill No. 642 to the Senate for the purpose of further consideration.

—was read the first time by title and referred to the Committee on Rules and Calendar.

On motion by Senator Firestone, by two-thirds vote SCR 1354 was withdrawn from the Committee on Rules and Calendar and placed on the calendar.

On motions by Senator Firestone SCR 1354 was taken up out of order by unanimous consent and by two-thirds vote

read the second time by title, adopted and certified to the House. The vote on adoption was:

Yeas—33

Mr. President	Gordon	Renick	Vogt
Castor	Gorman	Sayler	Ware
Chamberlin	Graham	Scarborough	Williamson
Childers, Don	Hair	Scott	Wilson
Childers, W. D.	Holloway	Skinner	Winn
Dunn	Johnston	Spicola	Zinkil
Firestone	MacKay	Thomas, Pat	
Gallen	McClain	Tobiasen	
Glisson	Poston	Trask	

Nays—None

On motion by Senator Firestone, the rules were waived and SCR 1354 was ordered immediately certified to the House.

On motion by Senator Pat Thomas, by two-thirds vote SB 1159 was withdrawn from the committee of reference and indefinitely postponed.

LOCAL CALENDAR

Consideration of SB 1328 was deferred.

SB 1326—A bill to be entitled An act relating to the City of Key West; amending section 5, article VII, chapter A of chapter 23374, Laws of Florida, 1945, as amended; providing a procedure for the filling of vacancies on the city commission of the City of Key West; providing a rule of construction; providing an effective date.

—was read the second time by title. On motion by Senator Poston, by two-thirds vote SB 1326 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiasen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

Consideration of Senate Bills 1327, 1329, 1330, 1331, 1332 and 1333 was deferred.

SB 1334—A bill to be entitled An act relating to Lake County; amending sections 1 and 2 of chapter 67-1609, Laws of Florida, declaring emergency medical treatment and service to be a county purpose; authorizing the board of county commissioners to acquire equipment for, pay the costs of, and charge fees for such treatment and service and to render such treatment and service free to indigent persons; authorizing the board to enter into agreements with certain agencies and entities including private nonprofit hospitals to provide such treatment and service; providing an effective date.

—was read the second time by title. On motion by Senator Glisson, by two-thirds vote SB 1334 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dunn	Graham	McClain
Barron	Firestone	Hair	Myers
Castor	Gallen	Henderson	Peterson
Chamberlin	Glisson	Holloway	Poston
Childers, Don	Gordon	Johnston	Renick
Childers, W. D.	Gorman	MacKay	Sayler

Scarborough	Thomas, Jon	Vogt	Wilson
Scott	Thomas, Pat	Ware	Winn
Skinner	Tobiasen	Williamson	Zinkil
Spicola	Trask		

Nays—None

SB 1335—A bill to be entitled An act relating to Lake County; declaring the establishment, construction, operation and maintenance of certain hospitals in the county to be a public purpose and that the operation thereof by the Leesburg Hospital Association, Inc., is for the public good; providing an effective date.

—was read the second time by title. On motion by Senator Glisson, by two-thirds vote SB 1335 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiasen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Saylor	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

SB 1336—A bill to be entitled An act relating to Lake County; providing for the relief of the Leesburg Hospital Association, Inc., authorizing and directing the Board of County Commissioners of Lake County to pay certain funds to the association; providing an effective date.

—was read the second time by title. On motion by Senator Glisson, by two-thirds vote SB 1336 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiasen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Saylor	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

SB 1337—A bill to be entitled An act relating to Lafayette County, district school board; amending sections 1, 5, chapter 77-586, Laws of Florida; authorizing the district school board to issue interest-bearing certificates of indebtedness in an amount not to exceed \$1,500,000 in anticipation of receipt of certain racing commission funds; authorizing the board to pay principal and interest on such indebtedness in an amount not to exceed \$100,000 annually; providing an effective date.

—was read the second time by title. On motion by Senator MacKay, by two-thirds vote SB 1337 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Firestone	Henderson	Poston
Barron	Gallen	Holloway	Renick
Castor	Glisson	Johnston	Saylor
Chamberlin	Gordon	MacKay	Scarborough
Childers, Don	Gorman	McClain	Scott
Childers, W. D.	Graham	Myers	Skinner
Dunn	Hair	Peterson	Spicola

Thomas, Jon	Trask	Williamson	Winn
Thomas, Pat	Vogt	Wilson	Zinkil
Tobiasen	Ware		

Nays—None

SB 1340—A bill to be entitled An act relating to Lake County; creating the Northwest Lake County Hospital District; creating a board of trustees of the district; providing the qualifications and duties of the members of the board; authorizing the board to contract with various agencies and entities to provide certain medical care and services; requiring the board to levy a tax to fund such services; providing procedures for the tax levy; authorizing the board to expend its funds for the district; requiring the board to periodically file financial statements of the district; authorizing the board to accept certain funds; providing for a referendum.

—was read the second time by title. On motion by Senator Glisson, by two-thirds vote SB 1340 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiasen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Saylor	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

CS for HB 785—A bill to be entitled An act relating to Charlotte County; authorizing the Board of County Commissioners of Charlotte County to grant a nonexclusive franchise to any person, municipality, private corporation, or other entity to construct, maintain, repair, operate and remove lines, poles and facilities within the unincorporated areas of Charlotte County over, on, under, across and along any county highway, road, easement, or right-of-way, or other public property of the County for the transmission, distribution or sale of electricity; providing for the term of such nonexclusive franchises; providing for the payment of a fee to Charlotte County for such right and privilege; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote CS for HB 785 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiasen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Saylor	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 968—A bill to be entitled An act relating to Indian River County; amending section 7-A of chapter 24600, Laws of Florida, 1947, as created by chapter 61-2278, Laws of Florida, to increase the amount that the Board of Commissioners of Indian River Mosquito Control District is authorized to expend for purchase of goods, supplies, or materials for the use of the district, without notice or bid required; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 968 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1001—A bill to be entitled An act relating to the Town of St. Augustine Beach, St. Johns County; changing the designated name of the town and town clerk; providing an effective date.

—was read the second time by title. On motion by Senator Glisson, by two-thirds vote HB 1001 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gorman	Poston	Trask
Barron	Graham	Renick	Vogt
Castor	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	
Gordon	Peterson	Tobiassen	

Nays—1

Chamberlin

HB 1028—A bill to be entitled An act relating to Monroe County; repealing chapters 27654 and 27746, Laws of Florida, 1951, as amended, and chapters 61-2349, 71-776, 71-777, and 71-779, Laws of Florida, relating to the ownership and maintenance of a public hospital by Monroe County, the levy of taxes therefor by the City of Key West, and the administration of the affairs of said hospital after its closing; providing for the disposition of all equipment, records, and funds of said hospital; providing an effective date.

—was read the second time by title. On motion by Senator Poston, by two-thirds vote HB 1028 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1031—A bill to be entitled An act relating to the City of Fort Pierce, St. Lucie County; amending section 6 of chapter 59-1806, Laws of Florida, as amended, to provide that the board of county commissioners of St. Lucie county shall be ex officio the board of commissioners of the St. Lucie County-Fort Pierce Fire Prevention and Control District; repealing sections 7 and 9 of chapter 59-1806, Laws of Florida, relating to composition of the board and compensation thereof; providing for a referendum.

—was read the second time by title. On motion by Senator Don Childers, by two-thirds vote HB 1031 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1063—A bill to be entitled An act relating to St. Lucie County; amending chapter 12033, Laws of Florida, 1927, authorizing the Board of Supervisors of Fort Pierce Farms Water Management District to levy a uniform maintenance tax upon the taxable lands of said district, in order to allow annual levies not exceeding \$3 per acre on taxable lands; amending chapter 25447, Laws of Florida, 1949, authorizing the Board of Supervisors of Fort Pierce Farms Water Management District to assess and levy a minimum maintenance tax upon each tract or parcel of land within said district without regard to the net assessments of benefits assessed as accruing for original construction, in order to allow annual levies not exceeding \$3 upon each such tract or parcel less than one acre in size; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 1063 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1141—A bill to be entitled An act relating to Highlands County, Florida; providing for the acquisition, construction, erection, enlargement, and improvement of school buildings, and the furnishing and equipping of school buildings of the School Board of Highlands County; authorizing the issuance of certificates of indebtedness payable from the portion of racetrack funds and jai alai fronton funds accruing annually to Highlands County, and allocated to such board, to pay the cost of such projects; authorizing the issuance of refunding certificates of indebtedness to refund certificates of indebtedness payable from such racetrack and jai alai fronton funds; providing an effective date.

—was read the second time by title. On motion by Senator Gallen, by two-thirds vote HB 1141 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1143—A bill to be entitled An act relating to Charlotte County; authorizing the Board of County Commissioners to create special taxing districts for the maintenance of canals, waterways, and channels; providing a procedure therefor; providing for a referendum prior to the creation of any district; providing for the expenses of creation; providing the powers of the district; providing an effective date.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 1143 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1144—A bill to be entitled An act relating to DeSoto County; creating the Fort Ogden Fire Protection and Rescue Service District within the county; providing definitions; providing for the election, membership, terms, compensation, and duties of the board of commissioners of the district; providing for the filling of vacancies on the board; authorizing the board to employ necessary personnel; authorizing the board to levy special assessments on the property within the district; providing a schedule of maximum rates of assessments for certain types of property; authorizing the property appraiser and tax collector of the county to take certain actions to assist the board; providing that assessments by the board shall be enforced as are tax assessments by the county; authorizing the board to borrow money, to issue revenue anticipation certificates, and to pledge certain liens; exempting the commissioners from certain liability; restricting the use of funds of the district by the board; authorizing the board to purchase certain fire equipment and a fire department; authorizing the board to adopt rules and regulations; requiring the board to make annual reports; authorizing the board to enact a fire prevention code; providing for a referendum.

—was read the second time by title. On motion by Senator Poston, by two-thirds vote HB 1144 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1174—A bill to be entitled An act relating to Monroe County; repealing chapters 75-444 and 75-447, Laws of Florida, which provide for traveling expenses and per diem for the County Property Appraiser while attending to official business beyond the limit of said county; providing an effective date.

—was read the second time by title. On motion by Senator Poston, by two-thirds vote HB 1174 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1175—A bill to be entitled An act relating to Monroe County, City of Key West; amending section 8 of Article 1 of the introductory chapter of chapter 23374, Laws of Florida, 1945, as amended by chapter 70-762, Laws of Florida, by authorizing the City of Key West to exercise its police powers and jurisdiction extending six hundred (600) feet into the tidal waters adjacent to its established corporate limits; repealing all laws, whether general or special, particularly chapter 23374, Laws of Florida, 1945, as amended by chapter 70-762, Laws of Florida, to the extent of conflict with this act; providing an effective date.

—was read the second time by title. On motion by Senator Renick, by two-thirds vote HB 1175 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—1

Zinkil

HB 1176—A bill to be entitled An act relating to Monroe County, City of Key West; amending section 6 of chapter A, Article 7 of chapter 23374, Laws of Florida, 1945, as amended by chapter 30899, Laws of Florida, 1955, and chapter 61-2345, Laws of Florida, by setting the Mayor's salary at \$3600.00 annually, payable in monthly installments of \$300.00 each and the Commissioners' salaries of said City at \$2700.00 annually, payable in monthly installments of \$225.00 each; repealing all laws, whether general or special, particularly chapter 23374, Laws of Florida, 1945, as amended by chapter 30899, Laws of Florida, 1955, to the extent of conflict with this act; providing an effective date.

—was read the second time by title. On motion by Senator Poston, by two-thirds vote HB 1176 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—1

Zinkil

HB 1177—A bill to be entitled An act relating to The Lower Florida Keys Hospital District, Monroe County; amending sec-

tion 8 of chapter 67-1724, Laws of Florida, authorizing the establishment of an ambulance service, and such other services related to the operation and maintenance of a hospital; amending section 34 of chapter 67-1724, Laws of Florida, providing for the regulation of any nursing home, nursing home staff, ambulance service, and such other services as the hospital may establish; providing a liability clause; providing an effective date.

—was read the second time by title. On motion by Senator Renick, by two-thirds vote HB 1177 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1178—A bill to be entitled An act relating to Monroe County; amending section 1 of chapter 69-1321, Laws of Florida, as amended, removing The Lower Florida Keys Hospital District as a member of the Career Service Council; providing for the selection of a fifth member to the Council; providing an effective date.

—was read the second time by title. On motion by Senator Poston, by two-thirds vote HB 1178 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1261—A bill to be entitled An act relating to St. Lucie County; authorizing the District School Board of said County to enter into contracts for group insurance for certain employees of said District School Board; providing for contributions by such employees in payment of premiums on such insurance; providing participation shall be voluntary; repealing all laws or parts of laws in conflict herewith; providing an effective date.

—was read the second time by title. On motion by Senator Don Childers, by two-thirds vote HB 1261 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1292—A bill to be entitled An act relating to the North Fort Myers Fire Control District, Lee County; amending section 6 of chapter 30925, Laws of Florida, 1955, as amended; providing for a maximum millage levy of 1.5 mills; providing a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 1292 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1345—A bill to be entitled An act relating to Sarasota County; providing legislative intent; prohibiting the Board of County Commissioners of Sarasota County from assessing special election fees against the Pinecraft Fire Control District, the Northeast Fire District, the Fruitville Area Fire Control District, the South Trail Fire Control District, and the Pinecraft Lighting District as a result of their elections for commissioners held at the second primary election; providing for a referendum.

—was read the second time by title. On motion by Senator Henderson, by two-thirds vote HB 1345 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1349—A bill to be entitled An act relating to Martin County; amending section 2 of chapter 65-1906, Laws of Florida, as amended, regarding payment of hospitalization of indigent residents; allowing the board of county commissioners to pay administrative costs and cost of doctors' services incidental to and included in the cost of hospital care of indigent residents; providing an effective date.

—was read the second time by title. On motion by Senator Don Childers, by two-thirds vote HB 1349 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1354—A bill to be entitled An act relating to the Greater Orlando Aviation Authority Act, Orange County; amending

sections 3 and 12 of chapter 57-1658, Laws of Florida, as amended, prescribing the nomination, election, removal, qualifications, and terms of members of the authority including the term of its chairman; prescribing the method and procedure for the authority to adopt its annual budget; providing an effective date.

—was read the second time by title. On motion by Senator Gorman, by two-thirds vote HB 1354 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1355—A bill to be entitled An act relating to the City of Orlando, Orange County; amending section 2 of chapter 57-1655, Laws of Florida, relating to provisions relating to the application of laws and ordinances on land and property owned or controlled by the city located outside the corporate limits of the city, to provide for enforcement by the city of laws of the State of Florida, including misdemeanor and felony laws, on such land and property; providing an effective date.

—was read the second time by title. On motion by Senator Gorman, by two-thirds vote HB 1355 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1356—A bill to be entitled An act relating to Orange County; relating to the transfer of funds by the Orange County Comptroller or his designee; authorizing the Orange County Comptroller or his designee to use bank debit and credit advances to transfer funds for investment purposes by oral instructions within the Orange County depository; authorizing the Orange County Comptroller or his designee to wire transfer funds from one county depository to other county depositories for investment purposes by written instructions signed by the Orange County Comptroller or his designee; providing an effective date.

—was read the second time by title. On motion by Senator Gorman, by two-thirds vote HB 1356 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1357—A bill to be entitled An act relating to Santa Rosa County; repealing chapter 31259, Laws of Florida, 1955, relating to the creation of the Santa Rosa County Election Commission; providing an effective date.

—was read the second time by title. On motion by Senator Tobiassen, by two-thirds vote HB 1357 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1358—A bill to be entitled An act relating to Jupiter Inlet District, a special taxing district in Palm Beach County; amending section 5 of chapter 8910, Laws of Florida, 1921, in order to increase and augment the compensation and/or expense allowances payable to the members of the Board of Commissioners of the District, so as to bring said compensation and/or expense allowances into greater conformity with current economic conditions and the increased services and responsibilities of the individual commissioners and officers of the Board; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 1358 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—1

Zinkil

HB 1360—A bill to be entitled An act relating to Lee County; repealing and revoking the August 16, 1972, resolution of the Board of County Commissioners of Lee County, which designated and established, pursuant to chapter 153, part I, Florida Statutes, the East Fort Myers Sewer District; repealing and revoking the October 11, 1972, resolution of the Board of County Commissioners of Lee County, which designated and established pursuant to chapter 153, part I, Florida Statutes, the East Fort Myers Sewer District; providing for the dissolution of the East Fort Myers Sewer District; providing an effective date.

—was read the second time by title. On motion by Senator Don Childers, by two-thirds vote HB 1360 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Firestone	Henderson	Poston
Barron	Gallen	Holloway	Renick
Castor	Glisson	Johnston	Sayler
Chamberlin	Gordon	MacKay	Scarborough
Childers, Don	Gorman	McClain	Scott
Childers, W. D.	Graham	Myers	Skinner
Dunn	Hair	Peterson	Spicola

Thomas, Jon
Thomas, Pat
Tobiasen
Trask
Vogt
Ware

Williamson
Wilson
Winn
Zinkil

Nays—None

HB 1363—A bill to be entitled An act relating to Orange County; amending section 5(5)(b) of chapter 71-803, Laws of Florida, as amended, providing that no tax revenues from the Local Option Tourist Development Tax shall be transmitted to the authority unless provided for in the Orange County's Tourist Development Plan; removing present provisions relating to the transmitting of such excise tax funds; providing an effective date.

—was read the second time by title. On motion by Senator Gorman, by two-thirds vote HB 1363 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gordon	Peterson	Tobiasen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Saylor	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—1

Zinkil

HB 1366—A bill to be entitled An act relating to the Pelican Bay Improvement District, Collier County; adding subsections (26) and (27) to section 5 of chapter 74-462, Laws of Florida, allowing additional powers; amending section 52 of chapter 74-462, Laws of Florida, relating to restrictions on powers; providing an effective date.

—was read the second time by title. On motion by Senator Scott, by two-thirds vote HB 1366 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiasen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Saylor	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1367—A bill to be entitled An act relating to the North Naples Fire Control District, Collier County; amending section 1 of chapter 61-2032, Laws of Florida, as amended, changing the boundaries of the district; providing an effective date.

—was read the second time by title. On motion by Senator Scott, by two-thirds vote HB 1367 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Firestone	Henderson	Poston
Barron	Gallen	Holloway	Renick
Castor	Glisson	Johnston	Saylor
Chamberlin	Gordon	MacKay	Scarborough
Childers, Don	Gorman	McClain	Scott
Childers, W. D.	Graham	Myers	Skinner
Dunn	Hair	Peterson	Spicola

Thomas, Jon
Thomas, Pat
Tobiasen
Trask
Vogt
Ware

Williamson
Wilson
Winn
Zinkil

Nays—None

HB 1368—A bill to be entitled An act relating to Hendry County; repealing chapter 61-2226, Laws of Florida, which provides an appropriation for the purpose of advertising and promoting Hendry County; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 1368 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiasen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Saylor	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1425—A bill to be entitled An act relating to the City of Jacksonville; amending section 4 of chapter 18615, Laws of Florida, 1937, as amended, to authorize the trustees of the pension fund thereby created to invest in obligations of government sponsored enterprises of the United States Government, or in commercial paper rated A-1 or P-1 by a nationally recognized rating service, or in bankers acceptances of United States Banks rated AAA by a nationally recognized rating service; providing that a retired person from said fund elected by the members of the Retiree's Association be on the advisory committee; providing an effective date.

—was read the second time by title. On motion by Senator Hair, by two-thirds vote HB 1425 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiasen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Saylor	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1436—A bill to be entitled An act relating to the 1945 pension fund for employees of Duval County; amending section 4 of chapter 23259, Laws of Florida, 1945, as amended, to enlarge the number of members of the Pension Advisory Committee to include one person who has retired from said fund and shall be elected by a majority of the membership of the Retirees' Association voting in said election; providing for clarification of majority vote in elections; providing an effective date.

—was read the second time by title. On motion by Senator Hair, by two-thirds vote HB 1436 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Chamberlin	Dunn	Glisson
Barron	Childers, Don	Firestone	Gordon
Castor	Childers, W. D.	Gallen	Gorman

Graham	Myers	Skinner	Ware
Hair	Peterson	Spicola	Williamson
Henderson	Poston	Thomas, Jon	Wilson
Holloway	Renick	Thomas, Pat	Winn
Johnston	Saylor	Tobiasen	Zinkil
MacKay	Scarborough	Trask	
McClain	Scott	Vogt	

Nays—None

HB 1437—A bill to be entitled An act relating to the Consolidated City of Jacksonville, Duval County; providing that Albert J. Kinard, an employee of the City of Jacksonville, may, for retirement purposes only, connect time while he was employed by the City of Jacksonville to time while he was employed by Duval County and, subsequently, the Consolidated City of Jacksonville, provided that certain contributions are made to the Duval County pension fund by Albert J. Kinard; providing an effective date.

—was read the second time by title. On motion by Senator Hair, by two-thirds vote HB 1437 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiasen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Saylor	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1441—A bill to be entitled An act relating to the City of Jacksonville, Duval County; amending section 4 of chapter 18610, Laws of Florida, 1937, as amended, so as to authorize the trustees of the pension fund thereby created to invest in obligations of government sponsored enterprises of the United States Government, or in commercial paper rated A-1 or P-1 by a nationally recognized rating service, or in bankers' acceptances of United States Banks rated AAA by a nationally recognized rating service; providing for clarification of requirements for majority vote in elections; providing for a retired person who was a member of said fund to be elected by a majority of the membership of the Retiree's Association voting in said election to serve on the advisory committee of said fund; providing an effective date.

—was read the second time by title. On motion by Senator Hair, by two-thirds vote HB 1441 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiasen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Saylor	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1442—A bill to be entitled An act relating to the charter of the City of Jacksonville, Duval County; amending articles 1 and 2 of chapter 67-1320, Laws of Florida, as amended, to update the same and remove therefrom outmoded and inconsistent provisions; stating the existence of the cities of Jacksonville Beach, Atlantic Beach and Neptune Beach and the town of Baldwin as municipal corporations pursuant to the decision of the Florida Supreme Court; confirming the powers, duties, boards, bodies and officers of the cities of Jacksonville

Beach, Atlantic Beach and Neptune Beach and the town of Baldwin pursuant to the decision of the Florida Supreme Court; making certain amendments to article 2 of chapter 67-1320, Laws of Florida, to recognize the status of the cities of Jacksonville Beach, Atlantic Beach and Neptune Beach and the town of Baldwin; repealing article 2A of chapter 67-1320, Laws of Florida, as amended, relating to preservation of local government structures of the second, third, fourth, and fifth urban services districts; amending article 3 of chapter 67-1320, Laws of Florida, as amended, to secure and confirm for said city full municipal and county home rule by the city consistent with Article VIII of the Constitution of the State of Florida; eliminating from article 3 of the charter those provisions and special powers made unnecessary by the adoption of the revised State Constitution in 1968 and the passage of chapter 73-129, Laws of Florida, known as the Municipal Home Rule Powers Act; amending sections 5.06, 6.03, 23.03, 23.04, 23.07, and 24.01(10) of chapter 67-1320, Laws of Florida, as amended, providing for certain governmental and corporate functions with respect to the second, third, fourth, and fifth urban services districts; amending section 5.08 of chapter 67-1320, Laws of Florida, as amended, prohibiting the city council from passing any ordinance or resolution until the same shall have been read by title on third reading; amending subsection (4)(a) of section 19.05 of chapter 67-1320, Laws of Florida, as amended, to exempt the Director of Community Education, the Supervisor of Community Education and Community Education Coordinators from Civil Service provisions of article 19, of said chapter; changing the title of the position Associate Superintendent of Schools; deleting subsection (23) of section 19.05 of chapter 67-1320, Laws of Florida, as amended, which subsection makes civil service provisions of the charter applicable to certain employees of the Community Education Consortium; amending section 25.01 of chapter 67-1320, Laws of Florida, as amended, providing for authorization to levy taxes and for millage rates; repealing sections 5.14, 15.09, 16.09, 18.04, and 19.10 of chapter 67-1320, Laws of Florida, as amended, relating to independent audits, budgets, bonds, retirement and pension systems, and civil service systems of the second, third, fourth and fifth urban services districts; providing an effective date.

—was read the second time by title. On motion by Senator Hair, by two-thirds vote HB 1442 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiasen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Saylor	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1449—A bill to be entitled An act relating to Hillsborough County; amending sections 1, 2(1), 3(1) and (8), 8(1)(a), (3) and (4)(c) and 9 of chapter 76-383, Laws of Florida, and adding paragraph (d) to section 8(4) thereof; providing jurisdiction, membership and powers of the Consolidated Taxicab Commission; redefining "taxicab" and "taxicab inspector"; providing requirements relating to age, of equipment; providing for investigation of applicants; providing authorization to receive certain criminal history record information; providing for refusal of public vehicle driver's license under certain conditions; providing for enforcement; providing for taxicab inspectors and their powers and duties; repealing chapter 76-383, Laws of Florida, as amended, effective October 1, 1979, to abolish the commission; providing an effective date.

—was read the second time by title. On motion by Senator Castor, by two-thirds vote HB 1449 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiasen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1450—A bill to be entitled An act relating to Hillsborough County and the Tampa Sports Authority; amending s. 15-A(1) of chapter 65-2307, Laws of Florida, relating to the power of the Tampa Sports Authority to contract for the construction, repair, or alteration of real property or the purchase, lease, construction, repair, or alteration of personal property; providing that purchases by the Tampa Sports Authority in excess of one thousand dollars (\$1,000) shall be let on the basis of competitive bids and that purchases in excess of five thousand dollars (\$5,000) shall be advertised and let on the basis of competitive bids; providing an effective date.

—was read the second time by title. On motion by Senator Castor, by two-thirds vote HB 1450 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiasen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1462—A bill to be entitled An act relating to Broward County; amending sections 1 and 2 of chapter 73-414, Laws of Florida, providing all members of the District School Board of Broward County shall be elected from residence districts as prescribed by general laws; providing an effective date.

—was read the second time by title. On motion by Senator Williamson, by two-thirds vote HB 1462 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Glisson	Myers	Thomas, Jon
Barron	Gordon	Peterson	Thomas, Pat
Castor	Gorman	Poston	Tobiasen
Chamberlin	Hair	Renick	Trask
Childers, Don	Henderson	Sayler	Vogt
Childers, W. D.	Holloway	Scarborough	Ware
Dunn	Johnston	Scott	Williamson
Firestone	MacKay	Skinner	Wilson
Gallen	McClain	Spicola	Winn

Nays—2

Graham	Zinkil
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HB 1465—A bill to be entitled An act relating to Broward County; dissolving inactive drainage and water management districts within Broward County; abolishing, specifically, the Davie Farm Sub-Drainage District, created in 1914 and having no known statutory reference; the Little Pine Island Sub-Drainage District, created in 1914 and having no known statutory reference; the Paradise Valley Drainage District, having no known statutory reference; the East Marsh Drainage District, created by chapter 7434, Laws of Florida, 1917, as amended; the Fern Crest Improvement District, created by chapter 31464, Laws of Florida, 1956, as amended; the New

River Drainage District, created by chapter 10383, Laws of Florida, 1925; the Tatum Road Drainage District, created by chapter 8395, Laws of Florida, 1919, providing an effective date.

—was read the second time by title. On motion by Senator Williamson, by two-thirds vote HB 1465 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiasen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1466—A bill to be entitled An act relating to Broward County, Florida, abolishing the Broward County Fire Control Commission; transferring the Broward County Fire Control District and its subdistricts to the jurisdiction of the Board of County Commissioners for Broward County, Florida; providing for the transfer of the Fire Control district assets to the Board of County Commissioners of Broward County, Florida; providing for the payment of duties, obligations, franchises, licenses and contracts of the Broward County Fire Control District; providing for the resolution of contested property rights of the Broward County Fire Control District in favor of Broward County; providing for the continuation of the district's boundaries, rules, regulations, ordinances, resolutions, and assessments until repealed, amended or modified by the Broward County Board of County Commissioners; providing for the continuation of the subdistricts' boundaries until repealed, amended or modified by the Broward County Board of County Commissioners; repealing chapters 69-911, 71-560, 73-423, Laws of Florida, relating to the Broward County Fire Control Commission and the Broward County Fire Control District; providing an effective date.

—was read the second time by title. On motion by Senator Williamson, by two-thirds vote HB 1466 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiasen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

CS for CS for HB 1467—A bill to be entitled An act relating to the City of Sunrise, Broward County; authorizing the city to establish within its boundaries a recreation district or districts; providing for the government and powers of such districts, including the power to issue bonds and levy taxes for the payment thereof after a referendum approving such bonds, and the power to issue revenue bonds; establishing a method for challenging the charter of any such district or any part thereof or amendment thereto; limiting the time for any such challenge to be brought, and making other provisions in connection with the foregoing; providing an effective date.

—was read the second time by title. On motion by Senator Williamson, by two-thirds vote CS for CS for HB 1467 was read the third time by title, passed and certified to the House.

The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1468—A bill to be entitled An act relating to Broward County; authorizing the School Board of Broward County, Florida, to establish an annual fund in the amount of two thousand dollars (\$2,000.00) for the use of the Superintendent to defray expenses related to the office of the Superintendent; providing the manner whereby these funds may be withdrawn; providing an effective date.

—was read the second time by title. On motion by Senator Williamson, by two-thirds vote HB 1468 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1469—A bill to be entitled An act relating to the City of Hacienda Village, Broward County; extending and enlarging and designating the corporate limits of the City of Hacienda Village by including previously unincorporated lands within Broward County; providing for the implementation of and service delivery to the annexed territories; providing an effective date.

—was read the second time by title. On motion by Senator Williamson, by two-thirds vote HB 1469 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1470—A bill to be entitled An act relating to Broward County; amending sections 6, 13, 27, 31(1) and (3)(e), 33(1) and (3), 34, 37(1), and 43 of chapter 27438, Laws of Florida, 1951, as amended, relating to the North Broward Hospital District; providing for exclusive authority of the board of commissioners of the district; requiring district electors to be residents, rather than freeholders; changing certain procedure with respect to board resolutions to levy taxes; providing for a single medical staff; requiring physicians employed by the district to be members of the medical staff and subject to certain by-laws, rules and regulations; raising the limit on the

value of certain property the board may lease, sell, or dispose of; providing for vesting in the district of donated money or property; providing specifications for competitive bidding for certain purchases in excess of certain dollar amount; providing for district certification of the medically indigent; repealing section 40 of chapter 27438, Laws of Florida, 1951, relating to ratification of said act; providing an effective date.

—was read the second time by title. On motion by Senator Williamson, by two-thirds vote HB 1470 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1472—A bill to be entitled An act relating to Gadsden County; providing that the provisions of Chapter 421, Florida Statutes, relating to Housing Authorities shall apply to the Town of Gretna; providing an effective date.

—was read the second time by title. On motion by Senator Pat Thomas, by two-thirds vote HB 1472 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1481—A bill to be entitled An act relating to Highlands County; repealing chapter 24557, Laws of Florida, 1947, relating to the substitution of the Supervisor of Registration of Highlands County for the County Tax Collector as agent to sell and distribute motor vehicle license plates; providing an effective date.

—was read the second time by title. On motion by Senator Gallen, by two-thirds vote HB 1481 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1482—A bill to be entitled An act relating to Holmes County; amending section 2 of chapter 23342, Laws of Florida, 1945, as amended, relating to the cost of publishing the min-

utes of the board of county commissioners and/or of the district school board; providing an effective date.

—was read the second time by title. On motion by Senator Pat Thomas, by two-thirds vote HB 1482 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1510—A bill to be entitled An act relating to Monroe County; repealing chapter 63-1650, Laws of Florida, as amended, which provides for Civil Service for the employees of the Sheriff of Monroe County and creates a Civil Service Board; providing an effective date.

—was read the second time by title. On motion by Senator Renick, by two-thirds vote HB 1510 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1517—A bill to be entitled An act relating to the Tampa Port Authority and the Hillsborough County Port District; providing for procedures and conditions for the granting of minor and major work permits in the submerged lands of Hillsborough County as they relate to dredge, fill, and construction projects; requiring the Hillsborough County Environmental Protection Commission and the Hillsborough County Planning Commission to make studies and recommendations concerning such permits; providing for removal of unauthorized fill; providing for the restoration of dredged materials; providing for removal of unauthorized structures; providing for enforcement and penalties; providing manner of appeal; providing severability; repealing chapter 67-1503, Laws of Florida, as amended, relating to submerged lands in the Hillsborough County Port District; providing an effective date.

—was read the second time by title. On motion by Senator Castor, by two-thirds vote HB 1517 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—1

Zinkil

HB 1518—A bill to be entitled An act relating to Hillsborough County; providing for the appointment of an administrator by the board of county commissioners; providing for a statement of legislative intent; providing for qualifications of a county administrator; providing that a county administrator shall be a full-time employee and reside in Hillsborough County; providing that the compensation of the county administrator shall be fixed by the board of county commissioners; providing for the powers and duties of the county administrator to include reports to members of the board of county commissioners, preparation of budget, financial procedures, personnel procedures, suspension, discharge, and removal of employees under jurisdiction of the board of county commissioners, negotiation of leases, contracts and agreements, preparation and implementation of an administrative code, and attendance at board of county commissioners' meetings; prohibiting individual county commissioners issuing directives or orders to employees without notice to the county administrator; forbidding the county administrator to take part in political activities; requiring the county administrator to post a performance bond; repealing all inconsistent laws; repealing chapter 73-495, Laws of Florida; providing an effective date.

—was read the second time by title. On motion by Senator Castor, by two-thirds vote HB 1518 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1525—A bill to be entitled An act relating to Manatee County; authorizing Manatee County to establish, construct, operate, acquire, equip, furnish and improve a public hospital and related buildings in connection therewith and to acquire land or interests in land incidental thereto; authorizing the issuance of bonds payable from taxes to pay the cost thereof; authorizing the acceptance of grants and donations; providing for a Board of Trustees and granting certain powers and authority to said Board including those powers granted under the Health Facilities Authorities Law; enumerating persons entitled to treatment at said facilities and authorizing charges and collections; authorizing additional medical centers; providing for the supervision of the Board of Trustees; granting certain powers to the Board of County Commissioners of Manatee County; providing for the condemnation of land; establishing a public purpose; establishing procedures regarding the medical treatment of indigent persons and providing for investigations and collections for said persons' medical expenses; repealing chapter 25995, Laws of Florida, 1949, chapter 57-1550, Laws of Florida, and chapter 69-574, Laws of Florida, relating to the Manatee County public hospital; providing an effective date.

—was read the second time by title. On motion by Senator Gallen, by two-thirds vote HB 1525 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1526—A bill to be entitled An act relating to Manatee County; creating and establishing the Manatee County Civic Center Authority in said county as a public body corporate and politic for the purpose of planning, developing, constructing, acquiring, owning, reconstructing, extending, enlarging, repairing, improving, relocating, equipping, maintaining and operating facilities and sites for the holding of conventions and expositions, and civic, cultural, recreational, athletic and similar events and activities; providing for the method and manner of the appointment of and terms of the authority's membership; providing for removal of members; providing for its organization, powers, functions, financing, privileges, duties, and responsibilities; providing for competitive bidding in certain instances; authorizing condemnation in certain instances; providing definitions; providing for the issuance of bonds by Manatee County to carry out the purposes of this Act; providing for sources of revenues for paying for said authority and facilities and operation thereof and for paying for said revenue bonds, including revenues of the facilities and other legally available revenues; providing for tax exemptions; authorizing appropriations by the county and other governmental units in Manatee County for operation and maintenance of said facilities; providing for public or private subscriptions; providing for inapplicability of inconsistent laws, providing a severability clause; providing an effective date.

—was read the second time by title. On motion by Senator Gallen, by two-thirds vote HB 1526 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1527—A bill to be entitled An act relating to Santa Rosa County; providing for the payment of an expense allowance to members of the Board of County Commissioners; superseding any county ordinance relating to automobile expenses for members of the board of county commissioners; providing an effective date.

—was read the second time by title. On motion by Senator Tobiassen, by two-thirds vote HB 1527 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1533—A bill to be entitled An act relating to Walton County; authorizing the acquisition, construction, erection, building, enlarging, improving, furnishing, and equipping of capital projects of Walton County and of the district school board of Walton County; authorizing the issuance of certificates of indebtedness by the county and by the school board to finance the cost of such projects; authorizing the pledging to the payment of the principal of, and interest on, such certificates of indebtedness of the race track funds and jai alai fronton funds allocated to the board of county commissioners of said county or the school board out of such funds accruing annually to the county pursuant to chapters 550 and 551, Florida Statutes, the

rentals and royalties derived by the county or the school board under leases or other agreements with respect to the lands or the mineral rights appertaining thereto belonging to said county or said school board, the second oil and gas severance taxes accruing to said county pursuant to the provisions of s. 211.06(1)(b), Florida Statutes, and other moneys of said county or of said school board derived from sources other than ad valorem taxation and legally available for such purposes; providing for the allocation of said county's share of such second oil and gas severance taxes equally between said board of county commissioners and said school board; providing an effective date.

—was read the second time by title. On motion by Senator Tobiassen, by two-thirds vote HB 1533 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—1

Zinkil

HB 1534—A bill to be entitled An act relating to Okaloosa County; authorizing the acquisition, construction, erection, building, enlarging, improving, furnishing, and equipping of capital projects of Okaloosa County and of the district school board of Okaloosa County; authorizing the issuance of certificates of indebtedness by the county and by the school board to finance the cost of such projects; authorizing the pledging to the payment of the principal of, and interest on, such certificates of indebtedness of the race track funds and jai alai fronton funds allocated to the board of county commissioners of said county or the school board out of such funds accruing annually to the county pursuant to chapters 550 and 551, Florida Statutes, the rentals and royalties derived by the county or the school board under leases or other agreements with respect to the lands or the mineral rights appertaining thereto belonging to said county or said school board, the second oil and gas severance taxes accruing to said county pursuant to the provisions of s. 211.06(1)(b), Florida Statutes, and other moneys of said county or of said school board derived from sources other than ad valorem taxation and legally available for such purposes; providing for the allocation of said county's share of such second oil and gas severance taxes equally between said board of county commissioners and said school board; providing an effective date.

—was read the second time by title.

Senator Tobiassen moved the following amendment which was adopted:

Amendment 1—On page 4, line 16, strike section 9 and insert: section 8

On motion by Senator Tobiassen, by two-thirds vote HB 1534 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1535—A bill to be entitled An act relating to the City of Dania, Broward County; extending and enlarging and designating the corporate limits of the City of Dania, Broward County, Florida, by including previously unincorporated lands within Broward County, Florida, which are contiguous and immediately adjacent to the City of Dania, Broward County, Florida; providing for the implementation and delivery of services to the annexed territory; providing for jurisdiction and powers of the City of Dania; and providing for an effective date.

—was read the second time by title. On motion by Senator Scott, by two-thirds vote HB 1535 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1537—A bill to be entitled An act relating to the Loxahatchee River Environmental Control District; amending section 6(1) of chapter 71-822, Laws of Florida, providing that the director shall be responsible for the employment and removal of professional, technical, legal and clerical staff as may be necessary; providing that the director may, with the board's consent, acquire the services of consultants and enter into contracts on behalf of the governing board; amending section 6(19), of chapter 71-822, Laws of Florida, removing certain powers of regulation over systems not owned by the district as more particularly defined in chapter 71-822, Laws of Florida; repealing section 5(5) and amending sections 5(7), 6(3), 6(6), 6(11), 6(20), 6(21) and 12 of chapter 71-822, Laws of Florida, providing for the removal of all district jurisdiction over solid waste; providing an effective date.

—was read the second time by title. On motion by Senator Johnston, by two-thirds vote HB 1537 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1542—A bill to be entitled An act relating to Santa Rosa County; amending section 3(a) and (f) of chapter 27881, Laws of Florida, 1951, empowering the board of county commissioners of the county to veto actions taken by the Santa Rosa County Beach Administration and to approve the administration's budget and amendments thereto; providing an effective date.

—was read the second time by title. On motion by Senator Tobiassen, by two-thirds vote HB 1542 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Chamberlin	Dunn	Glisson
Barron	Childers, Don	Firestone	Gordon
Castor	Childers, W. D.	Gallen	Gorman

Graham	Myers	Skinner	Ware
Hair	Peterson	Spicola	Williamson
Henderson	Poston	Thomas, Jon	Wilson
Holloway	Renick	Thomas, Pat	Winn
Johnston	Sayler	Tobiassen	Zinkil
MacKay	Scarborough	Trask	
McClain	Scott	Vogt	

Nays—None

HB 1568—A bill to be entitled An act relating to Escambia and Santa Rosa Counties; prohibiting certain usages of certain nets for fishing in the waters of such counties; providing a penalty; providing severability; providing an effective date.

—was read the second time by title.

Senators W. D. Childers and Tobiassen offered the following amendments which were moved by Senator Tobiassen and adopted:

Amendment 1—On page 1, line 12, before the word "waters" insert: *salt*

Amendment 2—On page 1, line 4 in title, after the word "the" insert: *salt*

On motion by Senator Tobiassen, by two-thirds vote HB 1568 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1581—A bill to be entitled An act relating to Franklin County; providing for the acquisition, construction, erection, enlargement, and improvement of school buildings, and the furnishing and equipping of school buildings of the school board of Franklin County; authorizing the issuance of certificates of indebtedness payable from the portion of racetrack funds and jai alai fronton funds accruing annually to Franklin County, and allocated to such board, to pay the cost of such projects; authorizing the issuance of refunding certificates of indebtedness to refund certificates of indebtedness payable from such racetrack and jai alai fronton funds; providing an effective date.

—was read the second time by title.

Senator Pat Thomas moved the following amendment which was adopted:

Amendment 1—On page 2, line 25, after the period "." insert: However, in the event an offer of an issue of certificates at public sale produces no bid or in the event all bids received are rejected the board is authorized to negotiate for the sale of such certificates under such rates and terms as are acceptable; provided, however, that no such certificates shall be sold or delivered on terms less favorable than the terms contained in any bids rejected at the public sale thereof, or the terms contained in the notice of public sale if no bids were received at such public sale.

On motion by Senator Pat Thomas, by two-thirds vote HB 1581 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

On motion by Senator Pat Thomas, the rules were waived and HB 1581 was ordered immediately certified to the House.

HB 1599—A bill to be entitled An act relating to saltwater conservation; amending s. 370.16(14) and (16)(f), Florida Statutes, as amended; providing a special 3-month oyster season in a portion of the waters of Franklin County; providing a special closed season in said waters; restricting the size of oysters that may be taken during special season; providing an effective date.

—was read the second time by title. On motion by Senator Pat Thomas, by two-thirds vote HB 1599 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1737—A bill to be entitled An act relating to Broward County; requiring and providing a method for the transfer of powers, duties, obligations and functions of water management districts created pursuant to Chapter 61-1969, Laws of Florida, as amended, to Broward County, and authorizing such transfer to municipalities; providing a method for the abolishment or dissolution of such water management districts; providing for the disposition of books, records, assets, property and funds of the district upon dissolution; providing for the continuation of existing contracts of the district upon dissolution; providing for severability; providing an effective date.

—was read the second time by title. On motion by Senator Jon Thomas, by two-thirds vote HB 1737 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 2094—A bill to be entitled An act relating to Jackson County; authorizing the Campbellton-Graceville Hospital Corporation to lease, operate, and maintain a nursing home; providing for a referendum.

—was read the second time by title. On motion by Senator Pat Thomas, by two-thirds vote HB 2094 was read the third

time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

Consideration of Senate Bills 1001 and 1047 was deferred.

SB 1166—A bill to be entitled An act relating to Pinellas County; avoiding duplication of water service utilities in Pinellas County; providing for the establishment of the retail water and sewer service areas of Pinellas County and its municipalities; prohibiting any municipality, company, or other entity from constructing or maintaining any system, work, project or utility for the supply of potable water or sewer services within the established retail water and sewer service areas of Pinellas County without the approval of the Pinellas County Commission; prohibiting any municipality, company, or other entity from constructing or maintaining any system, work, project or utility for the supply of potable water or sewer services within the established water or sewer retail services areas of municipalities without the execution of an interlocal agreement; exempting private companies operating sewer systems at the time of the enactment of the act from the act's provisions; providing for a legal description of the Pinellas County retail water and sewer service areas; providing for a legal description of retail water and sewer service areas for municipalities in Pinellas County; requiring all water systems in Pinellas County to interconnect within one year of effective date; providing for equal sharing of cost of interconnection between water systems; providing for settlement of disputes of location of interconnections between water systems by board of county commissioners of Pinellas County water system of investigation of dispute as to location of interconnection between water systems by requiring each system to equally share in the costs incurred; requiring a supplying water system in case of emergency to supply water at the same rate regularly charged retail customers; providing for the superseding of all general and special laws inconsistent with the act; providing that in the event any provision or application of this act is held invalid, other provisions and applications of the act shall not be affected; providing an effective date.

—was read the second time by title.

Senator Sayler moved the following amendments which were adopted:

Amendment 1—On page 3, line 18, insert: the word "other" after the word "any" on line 18

Amendment 2—On page 3, line 20, insert: a period after the word "agreement"

Amendment 3—On page 3, line 21, strike all of lines 21 and 23

Amendment 4—On page 14, line 22, insert: the word "other" after the word "any"

Amendment 5—On page 14, line 24, insert: a semi-colon after the word "agreement"

Amendment 6—On page 14, lines 25-30, strike all of line 25 through and including line 30 and insert: provided however, that all present and existing sewer service areas serviced by private companies operating sewer systems in Pinellas County on the effective date of this act shall be exempt from the provisions of this act. The service areas actually served by such private utilities are to be exempted but no expansion of such service areas into territories otherwise reserved to existing public utilities subject to the provisions of this act is to be allowed.

Amendment 7—On page 52, lines 15-29, strike all of line 15 through and including line 29 and insert: emergencies. Such interconnections shall be made only when and where feasible. Where an interconnection is required, the respective water systems shall equally bear the cost of such interconnections.

Amendment 8—On page 53, lines 1-2, strike "the same rate regularly charged its retail customers" and insert: the words "a mutually agreed to rate." after the word "at" on line 1

Amendment 9—On page 53, lines 10-11, strike all of line 10 and line 11 and insert: Section 11. This act shall not be construed to affect sewage treatment areas designated in any Section 201 Facilities Plan required under Public Law 92-500, the Federal Water Pollution Control Act of 1972.

Section 12. This act shall take effect upon becoming a law.

Amendment 10—On page 1, line 19 in title, insert: the word "other" after the word "of" on line 19

Amendment 11—On page 1, line 29 in title, insert: the words "where feasible," after the word "requiring" and before the word "all" on line 29

Amendment 12—On page 2, lines 2-11 in title, strike all of line 2 through and including line 11 and insert: requiring a supplying water system in case of emergency to supply water at a mutually agreed to rate; excluding the provisions of this act from affecting sewer treatment areas in Section 201 Facilities Plans under the Federal Water Pollution Control Act of 1972; providing

On motion by Senator Sayler, by two-thirds vote SB 1166 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

SB 1350—A bill to be entitled An act relating to Okaloosa County; extending the territorial boundaries and corporate limits of the City of Fort Walton Beach to include certain lands; providing an effective date.

—was read the second time by title. On motion by Senator W. D. Childers, by two-thirds vote SB 1350 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1362—A bill to be entitled An act abolishing the City of Williston, Levy County, Florida, and creation of a new municipality to be known as the City of Williston, Levy County, Florida; providing for council and mayor form of government; providing for the powers and duties of the city council; provid-

ing for control of city owned property outside city limits; providing for franchises not to exceed fifteen (15) years; providing eligibility and election of city council and mayor and appointment of officers and employees of the city; providing for compensation of council and mayor; providing for meeting of council, voting, records to be kept, audit, and procedures thereto; providing for city clerk and city manager their duties, powers, and appointment; providing for employment of department heads, the creation of departments of the city government; providing for the financial procedures, preparation and adoption of budget and hearing thereon, transfer of funds within the budget; providing for purchasing equipment and the borrowing of money by council; providing for planning and zoning; providing for removal for cause of councilmen, mayor, and officers of the city; providing for issuance of general obligation bonds, revenue bonds, excise and assessment bonds; providing for utilities, ownership, operation and maintenance thereof; providing for ownership and operation of a city hospital, the appointment of board of trustees, officers of the board of trustees; providing that the hospital will be a body corporate, that the hospital is a public purpose, regulation of staff, authority of the hospital board to borrow money within limitations; providing for minimum housing code; providing for financial conflicts of interest and prohibition of officers of the city in the performance of their duties; providing for the orderly transition from the old to the new charter, transfer of obligations, contracts, claims, and the like; providing a severability clause; providing for the repeal of laws in conflict and old charter provisions; and providing an effective date.

—was read the second time by title.

Senator MacKay moved the following amendments which were adopted:

Amendment 1—On page 14, lines 7-9 of Sec. 2.08, strike: "misdemeanor and punishable by a fine of not more than five hundred dollars (\$500.00) or by imprisonment for not more than sixty (60) days, or both" and insert: misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes

Amendment 2—On page 19, in the last sentence immediately preceding subsection (c), strike: "validated, confirmed, and shall be admissible in evidence in the courts of the state without proof of any procedural notice or action relating to their adoption" and insert: validated and confirmed

Amendment 3—On page 34, line 2 of Sec. 7.02, strike: "five (5)" and insert: seven (7)

Amendment 4—On page 66, line 4 of the first full unnumbered paragraph, strike "Chapter 21628" and insert: Chapter 21627

On motion by Senator MacKay, by two-thirds vote HB 1362 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

HB 1500—A bill to be entitled An act relating to the City of Hallandale, Broward County; extending and enlarging the corporate limits of the city; providing for the assumption of duties, powers, and responsibilities over the annexed territory; pro-

viding for the transfer of governmental interest in real property; providing for severability; providing an effective date.

—was read the second time by title. On motion by Senator Zinkil, by two-thirds vote HB 1500 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gordon	Peterson	Tobiassen
Barron	Gorman	Poston	Trask
Castor	Graham	Renick	Vogt
Chamberlin	Hair	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Spicola	Zinkil
Gallen	McClain	Thomas, Jon	
Glisson	Myers	Thomas, Pat	

Nays—None

On motion by Senator Holloway, the rules were waived and the Senate reverted to—

INTRODUCTION

On motion by Senator Holloway, the rules were waived and the following bill was introduced notwithstanding the fact that the final day had passed for introduction of bills:

By Senator Holloway—

SB 1355—A bill to be entitled An act relating to legislative review of programs and functions which regulate a profession, occupation, business, industry and other endeavor; adding paragraph (z) to subsection (2) of section 3 of chapter 76-168, Laws of Florida, as amended; repealing paragraph (h) of subsection (1) of section 3 of chapter 76-168, Laws of Florida, as amended; rescheduling the date for repeal of chapter 537, Florida Statutes, relating to yacht and shipbrokers; providing for retroactive operation under certain circumstances; providing an effective date.

—was read the first time by title and referred to the Committees on Governmental Operations and Appropriations.

On motion by Senator Sayler, the rules were waived and SB 1131 after being engrossed was ordered immediately certified to the House.

On motion by Senator W. D. Childers, the rules were waived and the Senate reverted to—

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator W. D. Childers, the rules were waived and by two-thirds vote SB 1254 was withdrawn from the Committee on Commerce and by two-thirds vote placed at the end of the special order calendar.

SPECIAL ORDER, continued

HB 170—A bill to be entitled An act relating to governmental reorganization; amending s. 20.16(1)-(4), Florida Statutes, 1977, reorganizing the Department of Business Regulation; abolishing the Board of Business Regulation and creating the position of Secretary of Business Regulation as the head of the department; providing for the appointment of the secretary; establishing divisions of the department; providing for the appointment of division directors; creating a Florida Pari-mutuel Commission within the department; providing for appointments to the commission; fixing terms of office for commissioners; granting specific authorities to the commission; providing for other substantive legislation; providing for a revisor's bill at a subsequent session; providing an effective date.

—was read the second time by title.

The Committee on Commerce offered the following amendments which were moved by Senator Gallen and adopted:

Amendment 1—On page 2, strike everything on lines 14 through 26 and insert: (4) There is created within the Department of Business Regulation a Florida Pari-mutuel Commission to consist of a chairman and four other members, all to be appointed by the Governor, subject to confirmation by the Senate. The initial Florida Pari-mutuel Commission shall consist of the Board of Business Regulation as constituted on July 1, 1978, and said members shall serve on the commission until June 30, 1979. Thereafter, the Governor shall appoint the members of the commission as follows: 1 member whose term shall end June 30, 1981; 2 members whose term shall end June 30, 1982; and 2 members whose term shall end June 30, 1983. Thereafter, each member appointed by the Governor shall serve for a term of four years. The Florida Pari-mutuel Commission shall have the authority only to:

Amendment 2—On page 3, strike lines 10 through 13 and insert: (5) The Director of the Division of Pari-mutuel Wagering shall have the authority to approve minor changes in racing dates after the award by the Florida Pari-mutuel Commission where there is no objection from any other permit holder or other affected party after due notice to all parties concerned. In the event of an objection, the date change must be approved by the Florida Pari-mutuel Commission.

(6) All the powers, duties, and functions of the divisions of the Department of Business Regulation, except as herein provided, shall remain the same as they existed on June 30, 1978.

Amendment 3—On page 4, strike all of lines 1 and 2 and insert: Section 4. This act shall take effect July 1, 1978.

On motion by Senator Gallen, by two-thirds vote HB 170 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—29

Mr. President	Gorman	Sayler	Ware
Castor	Graham	Scarborough	Williamson
Chamberlin	Henderson	Scott	Wilson
Childers, Don	Holloway	Skinner	Winn
Childers, W. D.	Johnston	Spicola	Zinkil
Firestone	McClain	Tobiassen	
Gallen	Poston	Trask	
Glisson	Renick	Vogt	

Nays—None

Votes after roll call:

Yea—MacKay, Myers, Pat Thomas

On motion by Senator Gallen, the rules were waived and HB 170 was ordered immediately certified to the House.

Senator W. D. Childers moved that the rules be waived and that the Senate convene at 8:55 a.m., Friday, May 26. The motion was adopted.

On motion by Senator Johnston, the rules were waived and the Senate reverted to—

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Johnston, by two-thirds vote SB 204 was withdrawn from the Committee of reference and indefinitely postponed.

SPECIAL ORDER, continued

Senator Ware presiding

SB 648—A bill to be entitled An act relating to the Florida Health-Care Responsibility Act; adding s. 154.304(5), Florida Statutes; providing a definition of the term "county resident"; creating s. 154.305, Florida Statutes; providing for financial responsibility for indigent patients receiving emergency treat-

ment at a hospital; amending ss. 154.308, 154.312, 154.314, Florida Statutes; extending the provisions of the act to include hospitals; providing an effective date.

—was read the second time by title.

The Committee on Economic, Community and Consumer Affairs offered the following amendment which was moved by Senator Gallen:

Amendment 1—On page 1, strike all of lines 15-20

(Renumber subsequent sections.)

The Committee on Appropriations offered the following substitute amendment which was moved by Senator Gallen:

Amendment 2—On page 1, line 15, strike everything after the enacting clause and insert: Section 1. Subsection (1) of Section 401.45, Florida Statutes, is amended to read:

401.45. Denial of emergency treatment; civil liability.—

(1) No person shall be denied treatment for any emergency medical condition which will deteriorate from a failure to provide such treatment at any hospital licensed under chapter 395 that operates an emergency department providing emergency treatment to the public. *Payment for emergency treatment, and any further in-patient treatment associated with that emergency, received at a hospital by a certified indigent patient shall be the obligation of the county of which the certified indigent patient is a resident. Payment by the county to the hospital shall be at the reimbursement rate currently in effect for the hospital under the medical assistance program for the needy under Title XIX of the Social Security Act, as amended. Certification of indigency and settlement of disputes between a county and a hospital shall be as provided in the Florida Health Care Responsibility Act, ss. 154.301 - 154.316.*

Section 2. This act shall take effect upon becoming a law.

Senators MacKay and Pat Thomas offered the following amendment to Amendment 2 which was moved by Senator MacKay and adopted:

Amendment 2A—On page 1, line 8, strike everything after the word "public" and insert: *Payment for emergency treatment, and any further in-patient treatment associated with that emergency, received at a hospital by a certified indigent patient shall be the obligation of the state. Payment by the state to the hospital shall be at the reimbursement rate currently in effect for the hospital under the medical assistance program for the needy under Title XIX of the Social Security Act, as amended. Certification of indigency and settlement of disputes between the state and a hospital shall be as provided in the Florida Health Care Responsibility Act, ss. 154.301 - 154.316.*

Amendment 2 as amended was adopted.

The Committee on Economic, Community, and Consumer Affairs offered the following amendment which was moved by Senator Gallen:

Amendment 3—On page 1 in title, line 3, strike "adding s. 154.304(5), Florida Statutes; providing a definition of the term "county resident";"

The Committee on Appropriations offered the following substitute amendment which was moved by Senator Gallen and adopted:

Amendment 4—On page 1 in title, strike all of lines 1-11 and insert: A bill to be entitled An act relating to emergency medical services; amending s. 401.45(1), Florida Statutes; providing for financial responsibility for indigent patients receiving emergency treatment at a hospital; providing an effective date.

The President presiding

Senator Ware presiding

Senator Zinkil moved that the Senate reconsider the vote by which Amendment 2 was adopted. The motion failed.

The President presiding

Senator Gordon moved the following amendment which was adopted:

Amendment 5—On page 1, lines 10, 13, 14 and 17, strike the word "hospital" and insert: private, for profit, non-tax exempt hospital

On motion by Senator Gallen, by two-thirds vote SB 648 as amended was read the third time by title, passed and ordered engrossed. The vote on passage was:

Yeas—25

Mr. President	Gorman	Scott	Ware
Barron	Henderson	Skinner	Williamson
Childers, Don	Holloway	Thomas, Jon	Wilson
Childers, W. D.	Johnston	Thomas, Pat	Winn
Dunn	Poston	Tobiasen	
Gallen	Renick	Trask	
Glisson	Scarborough	Vogt	

Nays—8

Chamberlin	Gordon	MacKay	Myers
Firestone	Graham	McClain	Zinkil

Votes after roll call:

Nay—Castor, Spicola
Yea to Nay—Skinner

Senator Vogt moved that the Senate reconsider the vote by which SB 648 passed this day.

The motion was placed on the calendar for consideration May 25.

HB 1739—A bill to be entitled An act relating to the "Florida Comprehensive Drug Abuse Prevention and Control Act"; amending s. 893.03, Florida Statutes; revising standards and schedules under which controlled substances are regulated to encompass recent federal amendments; providing an effective date.

—was read the second time by title.

Senator Myers moved the following amendment:

Amendment 1—On page 12, between lines 13-14 add: Section 2. Paragraph (f) of subsection (1) of section 893.13, Florida Statutes, is amended to read:

893.13 Prohibited acts; penalties.—

(1)

(f) If the ~~first~~ offense is the possession or delivery without consideration of not more than 1 avoirdupois ounce or 28.35 grams of cannabis, that person shall be guilty of a misdemeanor of the first degree, punishable by a fine not to exceed \$100 as provided in s. 775.082 and s. 775.083. Any second or subsequent conviction of possession or delivery without consideration of not more than 1 avoirdupois ounce or 28.35 grams of cannabis shall constitute a first degree misdemeanor, punishable as provided in s. 775.082 or s. 775.083. For purposes of this subsection, "cannabis" shall not include the resin extracted from the plant Cannabis sativa, L., or any compound manufacture, salt, derivative, mixture, or preparation of such resin.

Section 3. Subsection (1) of section 893.14, Florida Statutes, is amended to read:

893.14 Conditional discharge and expunction of records ~~for first offense possession.~~

(1) If a person who has not previously been convicted of a violation of the drug abuse laws of any state or the United States is convicted of a violation of s. 893.13(1)(e), ~~(1)(f)~~, (3)(a)4., or (3)(b), relating to possession, after trial or upon a plea of guilty, the court may, without entering a judgment of guilty, and with the consent of such person, defer further proceeding and place him on probation upon such reasonable condition as may be required and for such period not to exceed 1 year as the court may prescribe. Discharge and dis-

missal under this section shall be without court adjudication of guilt, but a nonpublic record thereof shall be retained by the Department of Criminal Law Enforcement solely for the purpose of use by the courts in any subsequent criminal proceedings and in determining whether such person qualifies under this section. Discharge and dismissal hereunder shall not be deemed a conviction for purposes of disqualification or disabilities imposed by law upon conviction of a crime, but it shall be deemed a conviction for the purpose of determining whether a defendant in a subsequent criminal prosecution is a multiple offender. Discharge and dismissal under this section may occur only once with respect to any person.

Section 4. Section 893.15, Florida Statutes, is amended to read:

893.15 Rehabilitation.—Any person who violates s. 893.13(1) (e) or ~~(1)(f)~~ relating to possession may, in the discretion of the trial judge, be required to participate in a drug rehabilitation program approved or regulated by the Department of Health and Rehabilitative Services pursuant to the provisions of chapter 397, provided the director of such program approved the placement of the defendant in such program. Such required participation may be imposed in addition to, or in lieu of, any penalty or probation otherwise prescribed by law. However, the total time of such penalty, probation, and program participation shall not exceed the maximum length of sentence possible for the offense.

Section 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 6. This act shall take effect January 1, 1979.

On motion by Senator Dunn, further consideration of HB 1739 was deferred.

CS for HB 1370—A bill to be entitled An act relating to the tax on the severance of solid minerals; amending s. 211.31(1), (3), (4), Florida Statutes, and adding new subsections to said section; providing a modification of the excise tax on the severance of phosphate rock after a specified date and changing the percentages of the distribution of the proceeds therefrom; providing for an excise tax rate of 8 percent on the severance of phosphate rock on and after July 1, 1983, and terminating the distribution of that portion of the proceeds to the Nonmandatory Reclamation Trust Fund; terminating the distribution of a portion of the proceeds to the Land Reclamation Trust Fund; creating the Nonmandatory Land Reclamation Trust Fund; creating the Phosphate Research Trust Fund; requiring annual reports on the sufficiency of the Nonmandatory Land Reclamation Trust Fund; amending s. 211.32 (3)(d), (f), (h), (n), Florida Statutes, deleting certain provisions relating to taxpayer refunds; limiting the availability of tax refunds; creating s. 211.35, Florida Statutes; creating the Land Use Advisory Committee; establishing duties of such committee; providing for such committee to develop a general land reclamation plan; creating s. 211.36, Florida Statutes; requiring the Department of Natural Resources to develop and adopt a master reclamation plan; providing criteria for the development of the master reclamation plan; creating s. 211.37, Florida Statutes; providing for the payment of funds for reclamation out of the Nonmandatory Land Reclamation Trust Fund; authorizing the Department of Natural Resources to purchase or condemn land for reclamation purposes; creating s. 211.38, Florida Statutes; creating the Florida Institute of Phosphate Research; providing duties of the institute; repealing s. 211.32(3)(m), Florida Statutes, relating to the Phosphate Land Reclamation Study Commission; providing an effective date.

—was read the second time by title. On motion by Senator MacKay, by two-thirds vote CS for HB 1370 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Chamberlin	Firestone	Gordon
Barron	Childers, W. D.	Gallen	Gorman
Castor	Dunn	Glisson	Graham

Henderson	Poston	Spicola	Ware
Holloway	Renick	Thomas, Jon	Williamson
Johnston	Saylor	Thomas, Pat	Wilson
MacKay	Scarborough	Tobiasen	Winn
McClain	Scott	Trask	Zinkil
Myers	Skinner	Vogt	

Nays—None

Senator Trask presiding

CS for HB 448—A bill to be entitled An act relating to elections; amending s. 101.71(1), (2), and (3), Florida Statutes, providing that polling places shall be accessible to the public on election day; providing an effective date.

—was read the second time by title.

The Committee on Judiciary-Civil offered the following amendment which was moved by Senator Scott and adopted:

Amendment 1—On page 1, line 9, insert: Section 1. Subsections (3) and (4) of section 99.061, Florida Statutes, are amended to read:

99.061 Nomination or election of candidates for state, county, district, and United States offices; sworn statement, receipt and filing fee.—

(3) The Department of State shall certify to the supervisor of elections, within 10 days after the closing date for qualifying, the names of all duly qualified candidates for nomination or election who *have qualified* ~~are required by law to qualify~~ with the Department of State.

(4)(a) Notwithstanding the qualifying period prescribed in this section, if a candidate has submitted the necessary petitions by the required deadline in order to qualify *by the alternative method as a candidate* for nomination ~~or election to office, or if a minor party has submitted the necessary petitions by the required deadline in order to qualify to have a slate of candidates on the general election ballot, and such candidate or minor party is notified after the fifth day prior to the last day for qualifying that the required number of signatures has been obtained, such candidate, or candidates designated by the minor party, shall be entitled to subscribe to the candidate's oath and file the qualifying papers at any time within 5 days from the date such candidate or minor party is notified that the necessary number of signatures has been obtained.~~

(b) Notwithstanding the qualifying period prescribed in this section, an independent candidate who has submitted the necessary petitions by the required deadline, or a candidate of a minor party which has submitted the necessary petitions by the required deadline, shall be entitled to subscribe to the candidate's oath and file his qualifying papers at any time within 14 days from the date the candidate or minor party is notified that the necessary number of signatures has been obtained.

(c) Any candidate who qualifies within the time prescribed in this subsection shall be entitled to have his name printed on the ballot.

Section 2. Subsections (1) and (3) of section 99.0955, Florida Statutes, are amended to read:

99.0955 Independent candidates for office; name on general election ballot.—

(1) Any registered elector seeking to have his name placed on the ballot at the general election as an independent candidate for an office may have his name printed on the general election ballot in which election such office is to be filled, provided he is otherwise qualified to hold the office that he seeks and provided a petition requesting that he be assigned a position on the general election ballot is signed by the required number of registered electors. Such person shall obtain the signatures on a petition form prescribed by the Department of State and furnished by the appropriate qualifying officer. Such forms may be obtained from the qualifying officer at any time after the first Tuesday following the first Monday in January preceding the general election, but prior to the 49th ~~92nd~~ day prior to the date of the first primary election.

(3)(a) Each candidate for a federal, state, or multicounty district office shall submit a separate petition for each county from which signatures are sought. Each petition shall be submitted, prior to noon of the 49th ~~92nd~~ day preceding the first primary election, to the supervisor of elections of the county for which such petition was circulated. Each supervisor to whom a petition is submitted shall check the names and shall, upon payment of the cost of checking the petitions or filing of the oath as prescribed in s. 99.097, certify to the Department of State, *within 30 days of the last day for prior to the first day of qualifying*, the number shown as registered electors of said county. The Department of State shall determine whether or not the required number of signatures has been obtained and shall notify the candidate. If the required number of signatures has been obtained, the candidate shall, *within 14 days of receiving such notice during the time prescribed for qualifying for office*, submit a copy of such notice to, and file his qualifying papers with, the Department of State, pay his filing fee, and take and subscribe to the oath provided in s. 99.021. However, any candidate who is unable to pay such fee without imposing an undue burden on his personal resources or upon resources otherwise available to him shall, upon written certification of such inability given under oath to the Department of State, be exempt from paying the filing fees. The name of each candidate who qualifies pursuant to this paragraph to have his name printed on the general election ballot shall be certified to the supervisor of elections of each county affected by such candidacy by the Department of State at the time the names of other candidates to be printed on the general election ballot are certified to each supervisor.

(b) Each candidate for a county office, or district office not covered by paragraph (a), shall submit his petition, prior to noon of the 49th ~~92nd~~ day preceding the first primary election, to the supervisor [of elections] of the county for which such petition was circulated. The supervisor shall determine whether the required number of signatures has been obtained and shall, *within 30 days of the last prior to the first day for qualifying*, notify the candidate. If the required number of signatures has been obtained for the name of the candidate to be placed on the ballot, the candidate shall, *within 14 days of receiving such notice during the time prescribed for qualifying for office*, submit a copy of the notice to, and file his qualification papers with, the supervisor of elections, pay his filing fee, and take the oath prescribed in s. 99.021. However, any candidate who is unable to pay such fee without imposing an undue burden on his personal resources or upon resources otherwise available to him shall, upon written certification of such inability given under oath to the supervisor, be exempt from paying the filing fee. Upon qualifying with the supervisor and paying the cost of checking the petitions or filing the oath required by s. 99.097, such candidate shall be entitled to have his name placed on the general election ballot.

Section 3. Subsections (2), (3), and (4) of section 99.096, Florida Statutes, are amended to read:

99.096 Minor party candidates; names on ballot.—

(2) Petitions to have a slate of candidates printed on the ballot shall be provided by the Department of State. The form of the petitions shall be prescribed by the Department of State. A minor political party may obtain such petition forms at any time after the first Tuesday after the first Monday in January preceding said general election, but prior to the 49th ~~92nd~~ day prior to the date of the first primary election.

(3) A separate petition shall be submitted from each county for which signatures are solicited. The petition shall be submitted to the supervisor of elections of the county prior to noon of the 49th ~~92nd~~ day preceding the first primary election, and the supervisor shall check the names and shall, upon payment of the cost of checking the petitions prescribed in s. 99.097, certify, *within 30 days of the last prior to the first day for qualifying*, the number shown as registered electors of the county. The supervisor shall then forward the certificate to the Department of State which shall determine whether or not the percentage factor as required in this section has been met. When the percentage factor has been met, the Department of State shall notify the minor party executive committee that the party has secured a position on the general election ballot.

(4) The executive committee of the party shall, at the time of submitting the petitions to the various supervisors of elections, [but] no later than noon of the 49th ~~92nd~~ day pre-

ceding the first primary election, submit to the Department of State an official list of the candidates nominated by that party to be on the ballot in the general election. If the minor party has qualified to have a slate of candidates for any offices for which candidates are required to qualify with a supervisor of elections, the Department of State shall notify such supervisor of the name of each candidate eligible to qualify for such an office. Candidates selected by a party pursuant to this section shall qualify with the Department of State or appropriate supervisor of elections, pay their filing fees, and take and subscribe to the oath provided in s. 99.021 *within 14 days of the date the executive committee receives notice that the party has secured a place on the ballot during the time prescribed for qualifying for office*. Any candidate who is unable to pay such fee without imposing an undue burden on his personal resources or upon resources otherwise available to him shall, upon written certification of such inability given under oath to the Department of State or appropriate supervisor of elections, be exempt from paying the filing fees. The qualification of each candidate to be on the general election ballot shall become official upon his qualifying papers being filed, if the candidate is otherwise legally qualified to hold the office which he is seeking. The official list of nominated candidates may not be changed by the party after having been filed with the Department of State, except that candidates who have qualified may withdraw from the ballot pursuant to the provisions of this code.

(Renumber Subsequent Sections)

Senator Spicola moved the following amendment which was adopted:

Amendment 2—On page 2, between lines 27 and 28, insert: Section 2. Notwithstanding the provision of any local law, a special election which is required by local law to be held on the third Tuesday after the first primary election provided for in s. 100.061, Florida Statutes, may be held in conjunction with the second primary election on the date provided by general law for the second primary election.

(Renumber subsequent section.)

The Committee on Judiciary-Civil offered the following amendment which was moved by Senator Spicola and adopted:

Amendment 3—On page 1 in title, line 2, between "elections;" and "amending" insert: amending ss. 99.061(3), (4), 99.0955(1), (3), 99.096(2)-(4), Florida Statutes; prescribing the deadline for filing of petitions for independent candidates and for minor parties to obtain ballot position; prescribing the qualifying time for independent candidates and minor party candidates;

Senator Spicola moved the following amendment which was adopted:

Amendment 4—On page 1 in title between lines 5 and 6, insert: providing that certain special elections required by local law to be held on the third Tuesday after the first primary election provided for in s. 100.061, Florida Statutes, may be held in conjunction with the second primary election on the date provided by general law for the second primary election,

On motion by Senator Don Childers, by two-thirds vote CS for HB 448 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Gordon	Renick	Vogt
Barron	Gorman	Saylor	Ware
Castor	Graham	Scarborough	Williamson
Chamberlin	Henderson	Scott	Wilson
Childers, Don	Holloway	Skinner	Winn
Childers, W. D.	Johnston	Spicola	Zinkil
Firestone	McClain	Thomas, Jon	
Gallen	Myers	Thomas, Pat	
Glisson	Poston	Tobiassen	

Nays—None

HB 173—A bill to be entitled An act relating to the Game and Fresh Water Fish Commission; amending s. 372.01(1), Florida Statutes, providing for Senate confirmation of com-

mission appointees to conform statutory provisions to s. 9, Art. IV of the State Constitution; providing an effective date.

—was read the second time by title. On motion by Senator Saylor, by two-thirds vote HB 173 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Gallen	Poston	Thomas, Pat
Barron	Glisson	Renick	Tobiassen
Castor	Gorman	Saylor	Vogt
Chamberlin	Graham	Scarborough	Ware
Childers, Don	Holloway	Scott	Williamson
Childers, W. D.	Johnston	Skinner	Wilson
Dunn	McClain	Spicola	Winn
Firestone	Myers	Thomas, Jon	Zinkil

Nays—None

Consideration of HB 268 and Senate Bills 1268 and 188 was deferred.

SB 859—A bill to be entitled An act relating to land acquisition; adding subsection (6) to s. 337.25, Florida Statutes; authorizing the sale of certain property acquired by the Department of Transportation for replacement housing; providing an effective date.

—was read the second time by title. On motion by Senator Ware, by two-thirds vote SB 859 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Glisson	Poston	Tobiassen
Barron	Gorman	Renick	Vogt
Castor	Graham	Saylor	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	McClain	Thomas, Jon	Zinkil
Gallen	Myers	Thomas, Pat	

Nays—None

SB 1118 was taken up and on motions by Senator Renick by two-thirds vote HB 1330 was withdrawn from the Committees on Commerce; and Finance, Taxation and Claims.

On motion by Senator Renick—

HB 1330—A bill to be entitled An act relating to the Real Estate License Law; amending s. 475.13(1), Florida Statutes, providing a separate fee for broker-salesman registration; providing an effective date.

—a companion measure, was substituted for SB 1118 and read the second time by title. On motion by Senator Renick by two-thirds vote HB 1330 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Glisson	Myers	Tobiassen
Castor	Gordon	Poston	Trask
Chamberlin	Gorman	Renick	Vogt
Childers, Don	Graham	Saylor	Ware
Childers, W. D.	Henderson	Scarborough	Williamson
Dunn	Holloway	Skinner	Wilson
Firestone	Johnston	Thomas, Jon	Winn
Gallen	McClain	Thomas, Pat	

Nays—1

Zinkil

Vote after roll call:

Nay to Yea—Zinkil

On motion by Senator Scott, the rules were waived and the Senate immediately reconsidered the vote by which—

CS for HB 448—A bill to be entitled An act relating to elections; amending s. 101.71(1), (2), and (3), Florida Statutes, providing that polling places shall be accessible to the public on election day; providing an effective date.

—as amended passed this day.

On motion by Senator Scott, the Senate reconsidered the vote by which CS for HB 448 was read the third time by title.

On motion by Senator Scott, the Senate reconsidered the vote by which Amendment 1 was adopted.

The President presiding

Senator Scott moved the following substitute amendment for Amendment 1:

Amendment 5—On page 1, line 9, insert: Section 1. Subsections (1), (3), and (4) of section 99.061, Florida Statutes, are amended to read:

99.061 Nomination or election of candidates for state, county, district, and United States offices; sworn statement, receipt and filing fee.—

(1) Each person seeking to qualify for nomination or election to a federal, state, or multicounty district office, other than a judicial office as defined in chapter 105, shall file his qualification papers with, and pay the qualification fees and party assessment, if any has been levied, to, the Department of State, or qualify by the alternative method with the Department of State, at any time after noon of the first day for qualifying, which shall be the 63rd day prior to the first primary, but not later than noon of the 49th day prior to the date of the first primary. *However, the qualification fee, if any, paid by an independent candidate or a minor party candidate shall be refunded to such candidate by the qualifying officer within 10 days from the date that the determination is made that such candidate or minor party failed to obtain the required number of signatures.*

(3) The Department of State shall certify to the supervisor of elections, within 10 days after the closing date for qualifying, the names of all duly qualified candidates for nomination or election who *have qualified* ~~are required by law to qualify~~ with the Department of State.

(4) Notwithstanding the qualifying period prescribed in this section, if a candidate has submitted the necessary petitions by the required deadline in order to qualify *by the alternative method as a candidate for nomination or election to office, or if a minor party has submitted the necessary petitions by the required deadline in order to qualify to have a slate of candidates on the general election ballot*, and such candidate ~~or minor party~~ is notified after the fifth day prior to the last day for qualifying that the required number of signatures has been obtained, such candidate, ~~or candidates designated by the minor party~~, shall be entitled to subscribe to the candidate's oath and file the qualifying papers at any time within 5 days from the date such candidate ~~or minor party~~ is notified that the necessary number of signatures has been obtained. Any candidate who qualifies within the time prescribed in this subsection shall be entitled to have his name printed on the ballot.

Section 2. Subsections (1) and (3) of section 99.0955, Florida Statutes, are amended to read:

99.0955 Independent candidates for office; name on general election ballot.—

(1) Any registered elector seeking to have his name placed on the ballot at the general election as an independent candidate for an office may have his name printed on the general election ballot in which election such office is to be filled, provided he is otherwise qualified to hold the office that he seeks and provided a petition requesting that he be assigned a position on the general election ballot is signed by the required number of registered electors. Such person shall obtain the signatures on a petition form prescribed by the Department of State and furnished by the appropriate qualify-

ing officer. Such forms may be obtained from the qualifying officer at any time after the first Tuesday following the first Monday in January preceding the general election, but prior to the 49th 92nd day prior to the date of the first primary election.

(3)(a) Each candidate for a federal, state, or multicounty district office shall submit a separate petition for each county from which signatures are sought. Each petition shall be submitted, prior to noon of the 49th 92nd day preceding the first primary election, to the supervisor of elections of the county for which such petition was circulated. Each supervisor to whom a petition is submitted shall check the names and shall, upon payment of the cost of checking the petitions or filing of the oath as prescribed in s. 99.097, certify to the Department of State, *within 30 days of the last day for prior to the first day of qualifying*, the number shown as registered electors of said county. The Department of State shall determine whether or not the required number of signatures has been obtained and shall notify the candidate. If the required number of signatures has been obtained and, the candidate *has shall*, during the time prescribed for qualifying for office, *filed submit a copy of such notice to, and file* his qualifying papers with, the Department of State, *paid pay* his filing fee, and *taken take* and *subscribe* to the oath provided in s. 99.021, *such candidate shall be entitled to have his name printed on the general election ballot*. However, any candidate who is unable to pay such fee without imposing an undue burden on his personal resources or upon resources otherwise available to him shall, upon written certification of such inability given under oath to the Department of State, be exempt from paying the filing fees. The name of each candidate who *is entitled* qualifies pursuant to this paragraph to have his name printed on the general election ballot shall be certified to the supervisor of elections of each county affected by such candidacy by the Department of State at the time the names of other candidates to be printed on the general election ballot are certified to each supervisor.

(b) Each candidate for a county office, or district office not covered by paragraph (a), shall submit his petition, prior to noon of the 49th 92nd day preceding the first primary election, to the supervisor of elections of the county for which such petition was circulated. The supervisor shall determine whether the required number of signatures has been obtained and shall, *within 30 days of the last prior to the first day for qualifying*, notify the candidate. If the required number of signatures has been obtained for the name of the candidate to be placed on the ballot *and, the candidate has shall*, during the time prescribed for qualifying for office, *filed submit a copy of the notice to, and file* his qualification papers with, the supervisor of elections, *paid pay* his filing fee, and *taken take* the oath prescribed in s. 99.021, *such candidate shall be entitled to have his name printed on the general election ballot*. However, any candidate who is unable to pay such fee without imposing an undue burden on his personal resources or upon resources otherwise available to him shall, upon written certification of such inability given under oath to the supervisor, be exempt from paying the filing fee. Upon *qualifying with the supervisor and* paying the cost of checking the petitions or filing the oath required by s. 99.097, such candidate shall be entitled to have his name placed on the general election ballot.

Section 3. Subsection (2), (3), and (4) of section 99.096, Florida Statutes, are amended to read:

99.096 Minor party candidates; names on ballot.—

(2) Petitions to have a slate of candidates printed on the ballot shall be provided by the Department of State. The form of the petitions shall be prescribed by the Department of State. A minor political party may obtain such petition forms at any time after the first Tuesday after the first Monday in January preceding said general election, but prior to the 49th 92nd day prior to the date of the first primary election.

(3) A separate petition shall be submitted from each county for which signatures are solicited. The petition shall be submitted to the supervisor of elections of the county prior to noon of the 49th 92nd day preceding the first primary election, and the supervisor shall check the names and shall, upon payment of the cost of checking the petitions prescribed in s. 99.097, certify, *within 30 days of the last prior to the first day for qualifying*, the number shown as registered electors of the county. The supervisor shall then forward the certificate to the Department of State which shall determine whether or

not the percentage factor as required in this section has been met. When the percentage factor has been met, the Department of State shall notify the minor party executive committee that the party has secured a position on the general election ballot.

(4) The executive committee on the party shall, at the time of submitting the petitions to the various supervisors of elections, but no later than noon of the 49th 92nd day preceding the first primary election, submit to the Department of State an official list of the candidates nominated by that party to be on the ballot in the general election. If the minor party has qualified to have a slate of candidates for any offices for which candidates are required to qualify with a supervisor of elections, the Department of State shall notify such supervisor of the name of each candidate eligible to qualify for such an office. Candidates selected by a party pursuant to this section shall qualify with the Department of State or appropriate supervisor of elections, pay their filing fees, and take and subscribe to the oath provided in s. 99.021 during the time prescribed for qualifying for office. Any candidate who is unable to pay such fee without imposing an undue burden on his personal resources or upon resources otherwise available to him shall, upon written certification of such inability given under oath to the Department of State or appropriate supervisor of elections, be exempt from paying the filing fees. *The qualification of each candidate to be on the general election ballot shall become official upon his qualifying papers being filed, if the candidate is otherwise legally qualified to hold the office which he is seeking.* The official list of nominated candidates may not be changed by the party after having been filed with the Department of State, except that candidates who have qualified may withdraw from the ballot pursuant to the provisions of this code.

(Renumber subsequent sections)

Senator Wilson moved the following amendment to Amendment 5 which failed:

Amendment 5A—On page 2, line 5, strike “and furnished by the Appropriate” and all of lines 6, 7, 8, 9, and 10 and insert: (.) after “State”

Amendment 5 was adopted.

Senator Scott moved the following amendment which was adopted:

Amendment 6—On page 1 in title, line 2, after the semicolon, insert: amending ss. 99.061(1), (3), (4), 99.0955(1), (3), 99.096 (2)-(4), Florida Statutes; prescribing the deadline for filing of petitions for independent candidates and for minor parties to obtain ballot position; prescribing the qualifying time for independent candidates and minor party candidates;

On motion by Senator Scott, by two-thirds vote CS for HB 448 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Gallen	McClain	Thomas, Pat
Barron	Gordon	Poston	Tobiasen
Castor	Gorman	Renick	Vogt
Chamberlin	Graham	Sayler	Ware
Childers, Don	Henderson	Scarborough	Williamson
Childers, W. D.	Holloway	Scott	Wilson
Dunn	Johnston	Skinner	Winn
Firestone	MacKay	Thomas, Jon	Zinkil

Nays—None

On motion by Senator W. D. Childers, the rules were waived and the Senate reverted to—

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator W. D. Childers, the rules were waived and by two-thirds vote SB 66 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator W. D. Childers, by two-thirds vote SB 1252 was placed on the special order calendar for May 25.

On motions by Senator Trask, the rules were waived and by two-thirds vote CS for HB 959 was withdrawn from the Committee on Finance, Taxation and Claims and by two-thirds vote placed at the end of the special order calendar for May 25.

On motion by Senator Gallen, the rules were waived and by two-thirds vote SB 930 was withdrawn from the committee of reference and indefinitely postponed.

On motions by Senator Zinkil, the rules were waived and by two-thirds vote SB 944 was withdrawn from the Committees on Commerce and Governmental Operations.

SPECIAL ORDER, continued

CS for HB 456—A bill to be entitled An act relating to the Florida Mobile Home Landlord and Tenant Act; amending s. 83.760(2), Florida Statutes; providing for leases offered by a mobile home park owner to be for a 1-year term or more, unless otherwise agreed upon in writing; requiring all leases offered within the same park to include the same terms and conditions; amending s. 83.765(1), Florida Statutes; prohibiting a mobile home park rule that prohibits the mobile home owner from placing a "for sale" sign on or in his mobile home; providing an effective date.

—was read the second time by title.

Senators Hair, McClain and Barron offered the following amendment which was moved by Senator McClain and failed:

Amendment 1—On page 1, lines 17-31, and on page 2, lines 1-6, strike all of said lines

On motion by Senator Vogt, the Senate reconsidered the vote by which Amendment 1 failed. Amendment 1 was adopted.

Senators Hair, McClain and Barron offered the following amendment which was moved by Senator McClain and adopted:

Amendment 2—On page 1 in title, lines 3-9, strike everything from "amending s. 83.760(2)" on line 3 through "conditions;" on line 9

On motion by Senator Sayler, by two-thirds vote CS for HB 456 as amended was read the third time by title, passed, and certified to the House. The vote on passage was:

Yeas—30

Mr. President	Gorman	Renick	Vogt
Barron	Graham	Sayler	Ware
Castor	Henderson	Scarborough	Williamson
Chamberlin	Holloway	Scott	Wilson
Childers, W. D.	MacKay	Skinner	Winn
Dunn	McClain	Thomas, Jon	Zinkil
Firestone	Myers	Tobiassen	
Glisson	Poston	Trask	

Nays—None

Vote after roll call:

Yea—Pat Thomas

HB 342—A bill to be entitled An act relating to the land fill permits; amending s. 253.124(4), Florida Statutes, increasing to 5 years the period of time for which construction permits for filling land may be issued; providing that a board of county commissioners may grant permits for less than 5 years depending upon the size and scope of construction; providing an effective date.

—was read the second time by title. On motion by Senator Barron, by two-thirds vote HB 342 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Castor	Childers, Don	Dunn
Barron	Chamberlin	Childers, W. D.	Firestone

Gallen	Myers	Spicola	Williamson
Glisson	Poston	Thomas, Jon	Wilson
Gorman	Renick	Thomas, Pat	Winn
Henderson	Sayler	Tobiassen	Zinkil
Holloway	Scarborough	Trask	
MacKay	Scott	Vogt	
McClain	Skinner	Ware	

Nays—1

Johnston

Vote after roll call:

Yea—Graham

SB 1274—A bill to be entitled An act relating to the Florida Transportation Code; renumbering s. 339.08(3), (4), (5), Florida Statutes, and adding a new subsection (3) to said section; authorizing the Department of Transportation to use available funds for the preparation of certain plans and estimates; providing requirements with respect to the sale of bonds which contain a covenant to complete provisions from the proceeds of the first gas tax; providing that the covenant to complete for project additions must be approved by the Legislature; providing that in lease-purchase agreements, the Department of Transportation shall provide for the repayment of all costs incurred by the department from certain excess tolls or second gas tax proceeds; repealing s. 339.12(5)(c), (d), Florida Statutes, relating to the payment of department funds for preliminary engineering plans and to the department's use of proceeds of the first gas tax; providing an effective date.

—was read the second time by title.

On motions by Senator W. D. Childers further consideration of SB 1274 was deferred and by two-thirds vote placed first on the special order calendar for May 25.

On motion by Senator W. D. Childers, by two-thirds vote HB 6 was removed from the calendar and recommitted to the Committee on Commerce.

SB 1310—A bill to be entitled An act relating to professional engineers; adding s. 471.05(7), Florida Statutes; providing for the exemption of certain persons from the provisions of chapter 471, Florida Statutes; providing an effective date.

—was read the second time by title.

The Committee on Economic, Community and Consumer Affairs offered the following amendment which was moved by Senator Barron and adopted:

Amendment 1—On page 1, strike lines 10-20 and insert:

Section 1. Subsections (7) and (8) are added to Section 471.05, Florida Statutes, to read:

471.05 Exemptions. The following persons shall be exempt from the provisions of this chapter, to wit:

(7) *Regular full time employees of a corporation not engaged in the practice of professional engineering as such whose practice of professional engineering for said corporation is limited to the design or fabrication of manufactured products and servicing of said products.*

(8) *Regular full time employees of a public utility subject to regulation by the Florida Public Service Commission, Federal Energy Regulatory Commission or Federal Communication System.*

And renumber subsequent sections.

Senator Barron moved the following amendment which was adopted:

Amendment 2—On page 1 in title, strike all of line 3 and insert: adding s. 471.05(7), (8), Florida Statutes;

On motion by Senator Barron, by two-thirds vote SB 1310 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—31

Mr. President	Gallen	McClain	Trask
Barron	Gordon	Poston	Vogt
Castor	Gorman	Renick	Ware
Chamberlin	Graham	Scarborough	Williamson
Childers, Don	Henderson	Skinner	Wilson
Childers, W. D.	Holloway	Thomas, Jon	Winn
Dunn	Johnston	Thomas, Pat	Zinkil
Firestone	MacKay	Tobiasen	

Nays—None

SB 1295—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; creating the Antifreeze Act of 1978 to be administered by the department; providing definitions; requiring the manufacture, packager or person whose name appears on the label of antifreeze to apply to the department for registration for each brand of antifreeze he desires to distribute; providing a fee; providing criteria for the determination of whether or not antifreeze is adulterated or mislabeled and prohibiting such activity; authorizing the department to inspect, sample and analyze antifreeze; providing a list of prohibited activities with respect to antifreeze; authorizing the department to issue and enforce stop-sale orders against distributors in violation of the act; authorizing the department to require registrants to provide antifreeze formulas under certain circumstances; providing for the adoption of certain standards with respect to antifreeze; authorizing the department to adopt specified rules; providing a penalty; authorizing the department to levy fines; providing for suspension or revocation of said registration; providing injunctive relief; providing severability; providing an effective date.

—was read the second time by title. On motion by Senator Trask, by two-thirds vote SB 1295 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Graham	Renick	Trask
Castor	Holloway	Saylor	Vogt
Childers, Don	Johnston	Scarborough	Ware
Childers, W. D.	Lewis	Skinner	Williamson
Dunn	MacKay	Thomas, Jon	Wilson
Firestone	Myers	Thomas, Pat	Winn
Gorman	Poston	Tobiasen	Zinkil

Nays—1

Chamberlin

CS for HB 11—A bill to be entitled An act relating to the dissolution of marriage; amending s. 61.08, Florida Statutes, specifying certain factors which the court must consider in determining a proper award of alimony; providing an effective date.

—was taken up pending roll call.

Senator Scarborough moved the following amendment:

Amendment 1—On page 1, strike all of lines 30 and 31 and reletter subsequent paragraphs

On motion by Senator Scarborough further consideration of CS for HB 11 was deferred.

Senator Graham moved that the Senate reconsider the vote by which SB 171 passed this day.

The motion was placed on the calendar for consideration May 25.

On motion by Senator Castor, the rules were waived and the Senate reverted to—

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Castor, the rules were waived and by two-thirds vote SB 797 was withdrawn from the Committee on Governmental Operations.

On motion by Senator Graham, the rules were waived and by two-thirds vote SB 870 was withdrawn from the Committee on Commerce.

On motions by Senator Lewis, the rules were waived and by two-thirds vote SB 528 and House Bills 35 and 359 were withdrawn from the Committee on Appropriations.

On motion by Senator Vogt, the rules were waived and by two-thirds vote SB 1317 was withdrawn from the committees of reference and indefinitely postponed.

Votes Recorded

By permission, Senator Spicola was recorded as voting yea on the following bills which passed May 18: SB 594, CS for SB 466, HB 2065, Senate Bills 908, 918, 669, 1076, HB 643, CS for SB 425, Senate Bills 849, 176, HB 733, CS for SB 1294, Senate Bills 958, 1029, 1347, 955, 706, 712, CS for SB 893, Senate Bills 836, 803, 1107, HB 718, SB 780, HB 718, CS for SB 647 and SB 591; and nay on CS for SB 970, Senate Bills 775, 722 and 1088.

ENROLLING REPORTS

SB 15	SB 655	CS for SB 108
SB 384	SB 770	SB 180
SB 493	CS for SB 261	SB 339
SB 563	SB 385	SB 340
SB 640	SB 68	CS for SB 346
CS for SB 642	SB 294	CS for SB 373

—have been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 23, 1978.

Joe Brown, Secretary

SCR 1123 has been enrolled, signed by the required Constitutional Officers and presented and filed with the Secretary of State on May 19, 1978.

Joe Brown, Secretary

Senate Bills 227, 264 and 676 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 19, 1978.

Joe Brown, Secretary

CO-INTRODUCERS

Senator Graham-SB 918; Senator Lewis-SB 550; Senator Winn-SB 238; Senators Pat Thomas and Renick-SB 515; Senator Firestone-SB 409.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of May 23, 22 and 18 were corrected and approved.

The Journal of April 26 was further corrected and approved as follows:

Page 224, counting from bottom of column 2, line 14, strike the hyphen and insert: tion of guilt

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 5:00 p.m. to convene at 8:30 a.m., May 25, 1978 for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 9:00 a.m.